

RBR | REN/7434, 42 N.C.

NORTH CAROLINA *REGISTER*

VOLUME 11 • ISSUE 28 • Pages 2113 - 2177
May 15, 1997

IN THIS ISSUE

Executive Orders

NPDES Permits

Wildlife Resources Commission Proclamation

Auctioneers, Commission for

Environment, Health, and Natural Resources

General Contractors, Licensing Board

Housing Finance Agency

Human Resources

Nursing, Board of

List of Rules Codified

Rules Review Commission

Contested Case Decisions

PUBLISHED BY

The Office of Administrative Hearings
Rules Division
PO Drawer 27447
Raleigh, NC 27611-7447
Telephone (919) 733-2678
Fax (919) 733-3462



NORTH CAROLINA REGISTER



Volume 11, Issue 28
Pages 2113 - 2177

May 15, 1997

This issue contains documents officially filed through April 24, 1997.

Office of Administrative Hearings
Rules Division
424 North Blount Street (27601)
PO Drawer 27447
Raleigh, NC 27611-7447
(919) 733-2678
FAX (919) 733-3462

Julian Mann III, Director
James R. Scarcella Sr., Deputy Director
Molly Masich, Director of APA Services
Ruby Creech, Publications Coordinator
Jean Shirley, Editorial Assistant
Linda Richardson, Editorial Assistant

IN THIS ISSUE

I. EXECUTIVE ORDERS	
Executive Orders 109-111	2113
II. IN ADDITION	
Environment, Health, and Natural Resources	
NPDES Permits	2115 - 2116
Wildlife Resources Commission Proclamation	2114
III. RULE-MAKING PROCEEDINGS	
Licensing Boards	
General Contractors, Licensing Board	2117
IV. PROPOSED RULES	
Environment, Health, and Natural Resources	
Environmental Management	2121 - 2123
Water Pollution Control System Operations	
Certification Commission	2123 - 2129
Human Resources	
Medical Assistance	2118 - 2121
Independent Agencies	
Housing Finance Agency	2132 - 2133
Licensing Boards	
Auctioneers, Commission for	2129 - 2130
Nursing, Board of	2130 - 2132
V. LIST OF RULES CODIFIED	2134 - 2143
VI. RULES REVIEW COMMISSION	2144 - 2147
VII. CONTESTED CASE DECISIONS	
Index to ALJ Decisions	2148 - 2164
Text of Selected Decisions	
96 ABC 2095	2165 - 2168
96 CPS 1211	2169 - 2170
96 EHR 0649	2171 - 2174
96 EHR 0846	2175 - 2176
VIII. CUMULATIVE INDEX	1 - 49

Digitized by the Internet Archive
in 2011 with funding from
University of North Carolina at Chapel Hill

<http://www.archive.org/details/northcarolinareg1128nort>

NORTH CAROLINA REGISTER
Publication Schedule
(October 1996 - July 1997)

FILING DEADLINES		NOTICE OF TEXT (either column A or column B)					
volume and issue number	issue date	last day for filing	end of comment period	earliest register issue for publication of text	A. non-substantial economic impact		B. substantial economic impact
					end of required comment period	deadline to submit to RRC for review at next RRC meeting	
11:13	10/01/96	09/10/96	12/02/96	12/16/96	10/16/96	10/31/96	12/02/96
11:14	10/15/96	09/24/96	12/16/96	01/02/97	10/30/96	11/14/96	12/16/96
11:15	11/01/96	10/11/96	12/31/96	01/02/97	11/18/96	12/02/96	05/10/98
11:16	11/15/96	10/24/96	01/14/97	01/15/97	12/02/96	12/16/96	01/14/97
11:17	12/02/96	11/06/96	01/31/97	02/03/97	12/17/96	01/02/97	01/21/97
11:18	12/16/96	11/21/96	02/14/97	03/03/97	12/31/96	01/15/97	02/14/97
11:19	01/02/97	12/06/96	03/03/97	03/14/97	01/17/97	02/03/97	05/10/98
11:20	01/15/97	12/19/96	03/17/97	04/01/97	01/30/97	02/14/97	05/10/98
11:21	02/03/97	01/10/97	04/04/97	04/15/97	02/18/97	03/05/97	04/04/97
11:22	02/14/97	01/24/97	04/15/97	05/01/97	03/03/97	03/17/97	04/15/97
11:23	03/03/97	02/10/97	05/02/97	05/15/97	03/18/97	04/02/97	05/02/97
11:24	03/14/97	02/21/97	05/13/97	05/15/97	03/31/97	04/14/97	05/13/97
11:25	04/01/97	03/10/97	06/02/97	06/16/97	04/16/97	05/01/97	06/02/97
11:26	04/15/97	03/24/97	06/16/97	07/01/97	04/30/97	05/15/97	06/16/97
11:27	05/01/97	04/10/97	06/30/97	07/01/97	05/16/97	06/02/97	06/30/97
11:28	05/15/97	04/24/97	07/14/97	07/15/97	05/30/97	06/16/97	07/14/97
12:29	06/02/97	05/09/97	08/01/97	08/15/97	06/17/97	07/02/97	07/21/97
12:30	06/16/97	05/23/97	08/15/97	09/02/97	07/01/97	07/16/97	07/21/97
12:01	07/01/97	06/10/97	09/02/97	09/15/97	07/16/97	08/20/97	09/02/97
12:02	07/15/97	06/23/97	09/15/97	10/01/97	07/30/97	08/14/97	09/15/97

EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling.
Time is computed according to 26 NCAC 2B .0103 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
		<p>ISSUE DATE: The Register is published on the first and fifteenth of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p>LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p> <p>COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p>PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p> <p>EARLIEST REGISTER ISSUE FOR</p> <p>(1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</p> <p>(2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</p> <p>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>

**EXECUTIVE ORDER NO. 109
AMENDING EXECUTIVE ORDER NO. 44
NORTH CAROLINA COMMISSION ON BUSINESS
LAWS AND THE ECONOMY**

By the power vested in me as Governor by the laws and Constitution of the State of North Carolina, **IT IS ORDERED:**

Section 1.

Provision (a) of Section 1 of Executive Order No. 44 is hereby amended to read as follows:

(a) Eleven members representing public and private corporations.

Section 2.

Provision (b) of Section 1 of Executive Order No. 44 is hereby amended to read as follows:

(b) Five practicing attorneys in the State of North Carolina, one of whom shall serve as Reporter for the Commission.

Section 3.

The last sentence of Section 1 of Executive Order No. 44 is hereby amended to read as follows:

The Attorney General and the Secretary of the North Carolina Department of Commerce shall serve as Co-Chairs of the Commission.

This Executive Order shall be effective immediately and shall serve to extend Executive Order No. 44 for two years.

Done in the Capital City of Raleigh, North Carolina, this the 25th day of March, 1997.

**EXECUTIVE ORDER NO. 110
AMENDING EXECUTIVE ORDER NO. 99
CONCERNING EMERGENCY RELIEF FOR
DAMAGE CAUSED BY HURRICANE FRAN**

By the power vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

Executive Order No. 99, as previously amended by Executive Orders 102, 103, and 105, is hereby amended as follows:

The provisions of Executive Order No. 99, as amended, which apply to vehicles transporting logs and residual products shall remain in force until June 27, 1997.

This order shall be effective immediately.

Done in Raleigh, North Carolina, this the 27th day of March, 1997.

**EXECUTIVE ORDER NO. 111
INFORMATION TECHNOLOGY - RELATED
STATE GOVERNMENT FUNCTIONS
TRANSFER OF ADMINISTRATION**

WHEREAS, information technology is a critical building block in the foundation of North Carolina's future; and,

WHEREAS, the need to comprehensively plan for North Carolina's information technology future efficiently and effectively is part of planning for the State's future growth; and

WHEREAS, there is a movement across the nation in both the public and private sectors to coordinate and consolidate the strategic resources of information technology under the oversight of the chief executive officer in order to better coordinate and link information technology, planning, services and policies; and,

WHEREAS, the Department of Commerce, which already houses the North Carolina Alliance for Competitive Technologies, works to recruit and retain business and industry; and,

WHEREAS, the use and promotion of information technology in these efforts can aid the State's economic development.

NOW, THEREFORE, by the power vested in me as Governor by the laws and Constitution of the State of North Carolina, **IT IS ORDERED:**

Section 1

The following agencies and services, including all functions, powers and duties of each, are hereby transferred to the North Carolina Department of Commerce:

- a. Information Resource Management Commission;
- b. State Information Processing Services; and,
- c. State Telecommunications Services.

Section 2

Budgetary responsibilities for the agencies and services listed above, and all funds available to the agencies and services, are hereby transferred to the North Carolina Department of Commerce.

Section 3

This Executive Order shall become effective upon satisfaction of applicable Constitutional and statutory requirements.

Done in the Capital City of Raleigh, North Carolina, this the 14th day of April, 1997.

This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.

North Carolina Wildlife Resources Commission

512 N. Salisbury Street, Raleigh, North Carolina 27604-1188, 919-733-3391

Charles R. Fullwood, Executive Director

PROCLAMATION

Charles R. Fullwood, Executive Director, North Carolina Wildlife Resources Commission, acting pursuant to North Carolina General Statute §113-292 (cl) and authority duly delegated by the Wildlife Resources Commission, hereby declares that the season for harvesting striped bass by hook-and-line shall open in that area of the Roanoke River from the Roanoke Rapids Reservoir dam downstream to the Edward's Ferry Boating Access Area at the US Highway 258 bridge on **Saturday, April 19, 1997 from 12:00 noon through 6:00 p.m.**

Effective 6:01 p.m. on April 19, 1997, the season for harvesting striped bass by hook-and-line is closed in all inland and joint waters of the Roanoke River Striped Bass Management Area. All striped bass caught after 6:01 p.m. on April 19, 1997, regardless of condition, shall be immediately returned to the waters where taken.

The Roanoke River Striped Bass Management Area is defined as the inland and joint fishing waters of the Roanoke River and its tributaries, extending from its mouth to Roanoke Rapids Dam, including the Cashie, Middle, and Eastmost rivers and their tributaries.

This proclamation shall be effective at 12:00 noon April 19, 1997 and shall remain in effect until a new proclamation opening described waters or portions thereof for striped bass fishing is issued.

NOTES:

- a) This Proclamation is issued under the authority of N.C.G.S. §§113-132; 113-134; 113-292; 113-304; and 113-305.
- b) During the open season, the minimum length limit is 18 inches and the daily creel limit is 3 fish. From April 1 through May 31, no striped bass between 22 and 27 inches in length may be harvested.
- c) From April 1 through June 30, only a single barbless hook or lure with a single barbless hook (or hook with barb bent down) may be used in the inland waters of the Roanoke River upstream of U.S. Highway 258 bridge.
- d) Any person who violates this Proclamation also violates applicable law and is subject to the sanctions provided by law.

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

by /s/Charles R. Fullwood
Executive Director

April 10, 1997
Date

**STATE OF NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
POST OFFICE BOX 29535
RALEIGH, NORTH CAROLINA 27626-0535**

PUBLIC NOTICE OF INTENT TO ISSUE STATE GENERAL NPDES PERMITS

Public notice of intent to reissue expiring State National Pollutant Discharge Elimination System (NPDES) General Permits for Point Source Discharges of Stormwater associated with the following activities:

1. NPDES General Permit No. NCG030000 for stormwater point source discharges associated with activities classified as establishments primarily engaged in the Rolling, Drawing, and Extruding of Nonferrous Metals [standard industrial classification (SIC) 335], Fabricating of Metal Products (SIC 34), Manufacturing of Industrial and Commercial Machinery (SIC 35), Manufacturing of Electronic Equipment (SIC 36), Manufacturing of Transportation equipment (SIC 37), and the manufacturing of measuring and analyzing instruments (SIC 38). The following activities are specifically excluded from coverage under this General Permit: Ship and boat building and repairing (SIC 373), which is covered by general stormwater permit NCG190000.

2. NPDES General Permit No. NCG060000 for stormwater point source discharges associated with activities classified as establishments primarily engaged in Food and Kindred Products [standard industrial classification (SIC) 20], Tobacco Products (SIC 21), Soaps, Detergents and Cleaning Preparations; Perfumes, Cosmetics and Other Toilet Preparations (SIC 284), Drugs (SIC 283), and Public Warehousing and Storage (SIC 4221-4225).

3. NPDES General Permit No. NCG080000 for stormwater point source discharges associated with activities that have Vehicle Maintenance Areas (including vehicle rehabilitation, mechanical repairs, painting, fueling, lubrication and equipment cleaning operation areas) associated with activities classified as Rail Transportation [Standard Industrial Classification (SIC) 40], Local and Suburban Transit and Interurban Highway Passenger Transportation [SIC 41], Motor Freight Transportation and Warehousing [SIC 42], except Public Warehousing and Storage [SIC 4221-4225], Postal Service [SIC 43], Petroleum Bulk Stations and Terminals [SIC 5171] with total petroleum storage capacity of less than 1 million gallons. Other activities which are designated on a case-by-case basis as being required to be permitted for stormwater point source discharges from oil water separators, secondary containment structures at petroleum storage facilities with total petroleum storage capacity of less than 1 million gallons, and/or vehicle maintenance areas at any facilities other than those listed above. The following activities are specifically excluded from coverage under this General Permit: vehicle maintenance areas at activities classified as Water Transportation [SIC 44] and Transportation by Air [SIC 45] and wash water from steam cleaning operations or other equipment cleaning operations.

4. NPDES General Permit No. NCG090000 for stormwater point source discharges associated with activities classified as establishments primarily engaged in Manufacture of Paints, Varnishes, Lacquers, Enamels, and Allied Products [standard industrial classification (SIC) 285].

5. NPDES General Permit No. NCG100000 for stormwater point source discharges associated with activities classified as establishments primarily engaged in Used Motor Vehicle Parts [Standard Industrial Classification (SIC) 5015] and Automobile Wrecking for Scrap [a portion of SIC 5093].

6. NPDES General Permit No. NCG120000 for stormwater point source discharges associated with activities classified as Landfills that are permitted by the North Carolina Division of Solid Waste Management under the provisions and requirements of North Carolina General Statute 130A - 294. The following are specifically excluded from coverage under this General Permit: Stormwater discharges from open dumps, hazardous waste disposal sites, or discharges of wastes (including leachate) to the waters of the state.

On the basis of preliminary staff review and application of Article 21 of Chapter 143 of the General Statutes of North Carolina, Public Law 92-500 and other lawful standards and regulations, the North Carolina Environmental Management Commission proposes to reissue State NPDES General Permits for the discharges as described above.

INFORMATION: Copies of the draft NPDES General Permits and Fact Sheets concerning the draft Permits are available by writing or calling:

Bradley Bennett
Water Quality Section
N.C. Division of Water Quality
P.O. Box 29535
Raleigh, North Carolina 27626-0535

Telephone (919) 733-5083 ext. 525

Persons wishing to comment upon or object to the proposed determinations are invited to submit their comments in writing to the above address no later than June 16, 1997. All comments received prior to that date will be considered in the final determination regarding permit issuance. A public meeting may be held where the Director of the Division of Water Quality finds a significant degree of public interest in any proposed permit issuance.

The draft Permits, Fact Sheets and other information are on file at the Division of Water Quality, 512 N. Salisbury Street, Room 942 H, Archdale Building, Raleigh, North Carolina. They may be inspected during normal office hours. Copies of the information of file are available upon request and payment of the costs of reproduction. All such comments and requests regarding these matters should make reference to the draft Permit Numbers, NCG030000, NCG060000, NCG080000, NCG090000, NCG100000, or NCG120000.

Date: April 24, 1997

/s/Bradley Bennett
for/A. Preston Howard, Jr., P.E., Director
Division of Water Quality

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

**TITLE 21 - OCCUPATIONAL LICENSING
BOARDS**

**CHAPTER 12 - LICENSING BOARD FOR
GENERAL CONTRACTORS**

Notice of Rule-making Proceedings is hereby given by the North Carolina Licensing Board for General Contractors in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 12 .0204, .0503 - .0504, .0901 - .0912 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 87-1; 87-10; 87-11; 87-13; 87-13.1; 87-15.5 through 87-15.9

Statement of the Subject Matter: The North Carolina Licensing Board for General Contractors (Board) will consider adopting rules, repealing rules, or amending rules addressing demonstration of financial responsibility for licensure and licensure renewal and the Homeowners Recovery Fund.

Reason for Proposed Action: To modify criteria for demonstration of financial responsibility and to clarify application of the Homeowners Recovery Fund.

Comment Procedures: Written comments may be submitted on the subject matter of the proposed rule-making to Mark D. Selpf, Secretary-Treasurer of the Board at the Board's office. The Board's address is P.O. Box 17187, Raleigh, NC 27619.

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 10 - DEPARTMENT OF HUMAN RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the DHR - Division of Medical Assistance intends to adopt rule cited as 10 NCAC 26B .0113. Notice of Subject Matter was published in the Register on November 15, 1995.

Note: Existing rules 10 NCAC 26B .0113 - .0126 will be renumbered to 10 NCAC 26B .0114 - .0127.

Proposed Effective Date: August 1, 1997

A Public Hearing will be conducted at 1:30 p.m. on June 3, 1997 at the Kirby Building, 1985 Umstead Drive, Room 132, Raleigh, NC.

Reason for Proposed Action: This rule is being republished to comply with the directions of the Rules Review Commission issued on April 17, 1997. This agency was directed to republish this rule to allow interested parties the opportunity to review and comment on the fiscal impact of the rule. The notice published on November 15, 1995 will serve as a notice of subject matter.

This version of the rule is a result of changes made by the agency pursuant to public comment received as a result of public notice and hearing previously published on November 15, 1995. This version also reflects technical changes requested by the Rules Review Commission.

Comment Procedures: Written comments concerning this rule-making action must be submitted by June 16, 1997 to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603. Oral comments may be presented at the hearing. A fiscal note statement may be requested from the Rule-making Coordinator at telephone: (919) 733-6964.

This agency will resubmit the rule to the Rules Review Commission on June 20, 1997 for review and consideration at its July 17, 1997 meeting.

Fiscal Note: This Rule affects the expenditure or distribution of State funds and the expenditures or revenues of local government funds.

CHAPTER 26 - MEDICAL ASSISTANCE

SUBCHAPTER 26B - MEDICAL ASSISTANCE PROVIDED

SECTION .0100 - GENERAL

.0113 NC MEDICAID CRITERIA FOR CONTINUED ACUTE STAY IN AN INPATIENT PSYCHIATRIC FACILITY

The following criteria apply to children and adolescents under the age of 21 in a psychiatric hospital or in a psychiatric unit of a general hospital, and to adults aged 21 through 64 receiving treatment in a psychiatric unit of a general hospital. hospital, and to adults aged 21 through 64 receiving treatment in a psychiatric unit of a general hospital. Patient must meet each of the following six conditions. These criteria shall be applied after the initial admission period of up to three days. To qualify for continued acute stay in an inpatient psychiatric facility a patient must meet each of the conditions specified in Items (1) through (6) of this Rule. To qualify for continued non-acute stay in an inpatient psychiatric facility a patient must meet all of the conditions specified in Item (7) of this Rule.

- (1) The patient has one of the following:
 - (+) (a) The patient has a A current DSM-IV, Axis I diagnosis, diagnosis, or
 - (a) (b) The patient has a A current DSM-IV DSM-IV Axis II diagnosis and current symptoms/behaviors which are characterized by all of the following:
 - (i) Symptoms/behaviors are likely to respond positively to acute inpatient treatment.
 - (ii) Symptoms/behaviors are not characteristic of patient's baseline functioning.
 - (iii) Presenting problems are an acute exacerbation of dysfunctional behavior patterns which are recurring and resistive to change.
 - (2) Symptoms are not due solely to mental retardation.
 - (3) The symptoms of the patient are characterized by both of the following:
 - (a) a A degree of intensity sufficient to classify for classification at the extreme end of a symptom continuum.
 - (b) Require continuum which requires continual medical/nursing response, management, and monitoring. monitoring and at least one of the following:
 - (4) The patient's symptoms and related behaviors are characterized by at least one of the following:
 - (a) Lethality, dangerousness, or destructiveness which Actively endangers self or others.

- (b) Grossly bizarre, disruptive and provocative (feces smearing, disrobing, pulling out hair, etc.). Presents with extreme level of subjective distress as indicated by at least one of the following:
- (i) Makes desperate statements.
 - (ii) Is significantly unresponsive to environmental stimuli.
 - (iii) Is unable to meet basic self care needs.
 - (iv) Is unwilling to comply with treatment necessary to address life endangering physiological/medical needs.
- (4) Symptom behavior(s) is presented at least 5 times in a 24 hour period, or limited frequency behaviors are associated with lethality, dangerousness, or destructiveness which endangers self or others.
- (c) Related to repetitive behavior disorders which present at least five times in a 24 hour period.
 - (d) Directly result in an inability to maintain age appropriate roles.
- (5) The acute symptoms must be related to factors other than weaknesses or problems in patient's environmental support system: system (exceptional circumstances are addressed in Item (7) of this Rule).
- (6) Inpatient care in the facility and program can reasonably be expected to measurably improve the patient's condition and functioning as evidenced by one of the following: so that
- (a) Patient's treatment can eventually be continued on an outpatient basis.
 - (b) Patient needs further monitoring and evaluation in a hospital as evidenced by at least one of the following:
 - (a)(i) Requires constant, skilled monitoring under the direction of a physician, to clarify treatment needs which cannot be provided in an outpatient setting.
 - (a)(ii) Requires constant, skilled monitoring in a secure setting, under the direction of a physician, to control behavior or ensure safety which cannot be provided in an outpatient setting.
 - (a)(iii) The patient needs special neurological or biochemical tests that cannot be performed on an outpatient basis.
- (7) Except for recipients covered under Carolina Alternatives and except for state hospitals where the discharge requirements defined by 10 NCAC 15A ensure the active involvement of the area program in discharge planning independently of

payor source, in the event that not all of the requirements specified in Items (1) through (6) of this Rule are met, reimbursement may be provided for patients through the age of 17 for continued stay in an inpatient psychiatric facility at a non-acute level of care to be paid at the High Risk Intervention Residential High (HRI-R High) rate if the facility and program services are appropriate for the patient's treatment needs and provided that all of the following conditions are met:

- (a) The psychiatric facility has made an appropriate referral for case management and after care services to the area Mental Health, Developmental Disabilities, Substance Abuse (MH/DD/SA) program which serves the patient's county of residence.
- (b) The area MH/DD/SA program has agreed that no appropriate services exist or are accessible within a clinically acceptable waiting time to treat the patient in a community setting.
- (c) The area MH/DD/SA program has agreed that the patient has a history of sudden decompensation or significant regression and experiences weakness in his or her environmental support system which are likely to trigger a decompensation or regression. This history must be documented by the patient's attending physician.
- (d) The inpatient facility must have a contract to provide HRI-R, High with the relevant area MH/DD/SA program as defined in Item (7)(a) of this Rule.
- (e) The area MH/DD/SA program must receive approval from the Child and Family Services Section of the Division of Mental Health, Developmental Disabilities, Substance Abuse Services for the use of extended HRI-R, High.
- (f) The relevant area MH/DD/SA program provides approval to the psychiatric facility for the provision of extended HRI-R High, receives claims from the inpatient facility, and provides reimbursement to the facility in accordance with the terms of its contract.

Authority G.S. 108A-25(b); 108A-54; 42 C.F.R. 441, Subpart D.

* * * * *

Notice is hereby given in accordance with G.S. 150B-21.2 that the DHR - Division of Medical Assistance intends to amend rules cited as 10 NCAC 50B .0202, .0404, .0409. Notice of Rule-making Proceedings

was published in the Register on August 15, 1996.

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 1:00 p.m. on June 3, 1997 at the Kirby Building, 1985 Umstead Drive, Room 132, Raleigh, NC.

Reason for Proposed Action: *The Division of Medical Assistance proposes to modify two recipient eligibility methodologies to conform to Work First methodologies. The modifications are beneficial to recipients and simplify program administration. In the absence of a change to administrative procedures, families will have their income calculated differently and will be subject to different reporting requirements.*

Comment Procedures: *Written comments concerning this rule-making action must be submitted by June 16, 1997 to Portia W. Rochelle, APA Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603. Oral comments may be presented at the hearing. A fiscal note statement is available upon written request from the same address.*

Fiscal Note: *Rule 10 NCAC 50B .0404 affects the expenditures of local government funds. Rules 10 NCAC 50B .0202 and .0409 do not affect the expenditures or revenues of local government funds. These Rules do not affect the expenditure or distribution of State funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

CHAPTER 50 - MEDICAL ASSISTANCE

SUBCHAPTER 50B - ELIGIBILITY DETERMINATION

SECTION .0200 - APPLICATION PROCESS

.0202 INITIAL INTERVIEW

(a) The county department of social services shall conduct an interview with the client or his representative. The client may have any person or persons of his choice participate in the interview. During the interview, the Income Maintenance Caseworker shall explain the application process, the client's rights and responsibilities, the programs of public assistance and the eligibility conditions.

(b) The applicant shall be advised of his right to apply in more than one program category for which he qualifies and the advantages and disadvantages of the choices shall be explained.

(c) The client shall be informed of the following:

- (1) That information he provides shall be checked for accuracy. The client shall be told what information he shall provide, and what sources the agency shall contact to check the information.

Collateral sources of information shall include knowledgeable individuals, business organizations, public records, and documentary evidence. If the client does not wish necessary collateral contacts to be made, he can withdraw his application. If he denies permission to contact necessary collaterals and all alternative sources of verification, the application shall be denied due to failure to cooperate in establishing eligibility.

- (2) The client has the right to:
- (A) Receive assistance if found eligible;
 - (B) Be protected against discrimination on the grounds of race, creed, or national origin by Title VI of the Civil Rights Act of 1964. He may appeal such discrimination;
 - (C) If eligible for Medicaid and Medicare Part B, have the monthly premium paid in his behalf under an agreement between the state and SSA;
 - (D) Have any information given to the agency kept in confidence;
 - (E) Appeal, if he believes the agency's action to deny, change, or terminate assistance is incorrect, or his request is not acted on with reasonable promptness;
 - (F) Reapply at any time, if found ineligible;
 - (G) Withdraw from the program at any time;
 - (H) Request the agency's help in obtaining third party information which he is responsible to provide;
 - (I) Be informed of all alternative sources of verification for the information he is responsible to provide.
- (3) The client shall be responsible for the following:
- (A) Provide the county department, state and federal officials, the necessary sources from which to locate and obtain information needed to determine eligibility;
 - (B) Report to the county department of social services any change in situation that may affect eligibility within ~~five~~ 10 calendar days after it happens. The meaning of fraud shall be explained. The applicant shall be informed that he may be suspected of fraud if he fails to report a change in situation and that in such situations, he may have to repay assistance received in error and that he may also be tried by the courts for fraud;
 - (C) Inform the county department of social services of any persons or organization against whom he has a right to recovery. When he accepts medical assistance, the applicant assigns his rights to third party insurance benefits to the state. He shall be informed that it is a misdemeanor to fail to disclose the identity of any person or organization against whom he has a right to

- recovery;
- (D) Immediately report to the county department the receipt of an I.D. card which he knows to be erroneous. If he does not report such and uses the I.D. card, he may be required to repay any medical expenses paid in error.

Authority G.S. 108A-57; 42 C.F.R. 435.908; Alexander v. Flaherty, U.S.D.C., W.D.N.C., File No. C-C-74-183, Consent Order Filed 15 December 1989; Alexander v. Flaherty Consent Order filed February 14, 1992.

SECTION .0400 - BUDGETING PRINCIPALS

.0404 INCOME

(a) Income that is actually available and that which the client or someone acting in his behalf can legally make available for support and maintenance shall be counted as income.

(b) Only income actually available or predicted to be available to the budget unit for the certification period for which eligibility is being determined shall be counted as income.

(c) For aged, blind, and disabled cases allowable disregards from income are based on Title XVI of the Social Security Act.

(d) Deductions subtracted after disregards are:

- (1) Child or incapacitated adult care not to exceed one hundred and seventy-five dollars (\$175.00) per child over two years of age or adult or two hundred dollars (\$200.00) per child under two years of age for Family and Children's related cases.
- (2) A standard deduction of ninety dollars (\$90.00) from the total earned income of each budget unit member for Family and Children's related cases.
- (3) For aged, blind, and disabled cases allowable deductions from income are based on Title XVI of the Social Security Act.

(e) Except for M-PW wages, wage deductions and work-related expenses shall be calculated by converting the average amount per pay period into a monthly amount:

- (1) If paid weekly, multiply by 4.333 4.3.
- (2) If paid bi-weekly, multiply by 2.1666 2.15.
- (3) If paid semi-monthly, multiply by 2.
- (4) If paid monthly, use the monthly gross.
- (5) If salaried, and contract renewed annually, divide annual income etc. by 12.

(f) For M-PW cases, the budget unit's actual income for the calendar month of eligibility shall be verified.

Authority G.S. 108A-25(b); 42 C.F.R. 435.121; 42 C.F.R. 435.401; 42 C.F.R. 435.603; 42 C.F.R. 435.731; 42 C.F.R. 435.732; 42 C.F.R. 435.734; 42 C.F.R. 435.812; 42 C.F.R. 435.831; 45 C.F.R. 435.845; 45 C.F.R. 435.851; 45 C.F.R. 233.20; 45 C.F.R. 233.51.

.0409 CHANGE IN SITUATION

(a) For Medicaid applications, once the county department of social services learns from any source that there has been a change in the budget unit's situation they shall notify the applicant within five work days of the need to verify the change. A change in situation includes but not limited to:

- (1) Change of address, or
- (2) Change in living arrangement, or
- (3) Adding or deleting a budget unit member, or
- (4) Increase or decrease in income, or
- (5) Change in reserve, or
- (6) Cessation of disability or blindness, or
- (7) Parent or parents are no longer incapacitated or unemployed, or
- (8) Change in responsible relative, or
- (9) Change in Aid Program Category.

(b) For an ongoing Medicaid case, once the county department of social services learns from any source that there has been a change in the budget unit's situation they shall review the case promptly and appropriate action shall be completed within 30 calendar days after the agency learns of the change in situation.

(c) The Medicaid client or his representative shall report any change in situation that might affect eligibility within five 10 calendar days to the county department of social services.

Authority G.S. 108A-54; 42 C.F.R. 435.916.

TITLE 15A - DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the EHNR - Environmental Management Commission intends to amend rule cited as 15A NCAC 2B .0308. Notice of Rule-making Proceedings was published in the Register on January 15, 1997.

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 7:00 p.m. on June 3, 1997 at the McDowell County Courthouse, 1 South Main Street, Marion, NC 28752.

Reason for Proposed Action: The N.C. Department of Environment, Health and Natural Resources on behalf of the Environmental Management Commission (EMC) will conduct a public hearing in order to receive public comments on a proposal to reclassify a portion of Toms, Mill and Swannanoa Creeks (Catawba River Basin) in McDowell County to High Quality Waters. These rule-making proceedings are being held in accordance with N.C.G.S. 143-214.1, 143-215.1, and 143-215.3(a)(1).

The criteria for designation to High Quality Waters includes those waters which are rated as excellent based on biological and physical/chemical characteristics through Division

monitoring or special studies, native and special native trout waters designated by the Wildlife Resources Commission, primary nursery areas designated by the Marine Fisheries Commission and other functional nursery areas designated by the Wildlife Resources Commission, critical habitat areas designated by the Wildlife Resources Commission or the Department of Agriculture, all water supply watersheds which are either classified as WS-I or WS-II or those for which a formal petition for reclassification as WS-I or WS-II has been received from the appropriate local government and accepted by the Division of Water Quality, and all Class SA waters.

Several tributary sites of the Upper Catawba River were identified as potential High Quality Waters streams by the Division of Water Quality (DWQ) Environmental Sciences Branch. Toms Creek, Mill Creek and Swannanoa Creek, three of the qualifying streams, received an excellent bioclassification and they, including their tributaries, are recommended for reclassification to High Quality Waters. The Division of Water Quality is requesting that the EMC reclassify Mill Creek, and all tributaries, from its source to Swannanoa Creek from Class C Tr to Class C Tr HQW, Swannanoa Creek, and all tributaries, from its source to Mill Creek from Class C Tr to Class C Tr HQW, and Toms Creek from its source to Harris Creek from Class C Tr to Class C Tr HQW, and Toms Creek from Harris Creek to McDowell County SR 1434 from Class C to Class C HQW.

If reclassified, new and expanding wastewater dischargers to the area affected by the proposed reclassification in the Toms Creek and the Mill and Swannanoa Creeks watersheds will have additional treatment requirements. Expanded discharges are those that increase their permitted pollutant loading. Single family residences would not be permitted to discharge to surface waters. Land disturbing activities which require a Sedimentation and Erosion Control Plan and which drain to and are within one mile of HQW streams will have more stringent land use development criteria.

Comment Procedures: The purpose of this announcement is to encourage those interested in this proposal to provide comments. You may either attend the public hearing and make relevant verbal comments or submit written comments, data or other relevant information by July 3, 1997. The Hearing Officer may limit the length of time that you may speak at the public hearing, if necessary, so that all those who wish to speak may have an opportunity to do so. We encourage you to submit written comments as well.

The EMC is very interested in all comments pertaining to the proposed reclassifications. It is very important that all interested and potentially affected persons or parties make their views known to the EMC whether in favor of or opposed to any and all provisions of the proposed reclassifications. The EMC may not adopt a rule that differs substantially from the text of the proposed rule published in the North Carolina Register unless the EMC publishes the text of the proposed different rule and accepts comments on the new text (see 150B-21.2(g)). All interested and potentially affected

persons are strongly encouraged to read the entire announcement and supporting information, and make appropriate comments on the proposal presented. The proposed effective date for the final rules pursuant to this hearing process is August 1, 1998. Written comments may be submitted by July 3, 1997 to:

Liz Kovasckitz

DEHNR/Division of Water Quality

P.O. Box 29535

Raleigh, NC 27626-0535

(919) 733-5083, extension 572

In the case of inclement weather on the day the public hearing is scheduled, please contact the above telephone number for a recorded message on any changes to the location, day or time of the hearing.

Fiscal Note: This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million (\$5,000,000) in a 12-month period.

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

SECTION .0300 - ASSIGNMENT OF STREAM CLASSIFICATIONS

.0308 CATAWBA RIVER BASIN

- (a) The schedule may be inspected at the following places:
- (1) Clerk of Court:
 - Alexander County
 - Avery County
 - Burke County
 - Caldwell County
 - Catawba County
 - Gaston County
 - Iredell County
 - Lincoln County
 - McDowell County
 - Mecklenburg County
 - Union County
 - Watauga County
 - (2) North Carolina Department of Environment, Health, and Natural Resources:
 - (A) Mooresville Regional Office
919 North Main Street
Mooresville, North Carolina
 - (B) Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina.
 - (b) Unnamed Streams. Such streams entering South Carolina are classified "C".
 - (c) The Catawba River Basin Schedule of Classifications

and Water Quality Standards was amended effective:

- (1) March 1, 1977;
- (2) August 12, 1979;
- (3) April 1, 1982;
- (4) January 1, 1985;
- (5) August 1, 1985;
- (6) February 1, 1986;
- (7) March 1, 1989;
- (8) May 1, 1989;
- (9) March 1, 1990;
- (10) August 1, 1990;
- (11) August 3, 1992;
- (12) April 1, 1994;
- (13) July 1, 1995;
- (14) September 1, ~~1996~~, 1996;
- (15) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective March 1, 1989 as follows:

- (1) Wilson Creek [Index No. 11-38-34] and all tributary waters were reclassified from Class B-trout and Class C-trout to Class B-trout ORW and Class C-trout ORW.

(e) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective May 1, 1989 as follows:

- (1) Henry Fork [Index Nos. 11-129-1-(1) and 11-129-1-(2)] from source to Laurel Creek, including all tributaries, were reclassified from Class WS-I, C and C trout to Class WS-1 ORW, C ORW and C trout ORW, except Ivy Creek and Rock Creek which will remain Class C trout and Class C.
- (2) Jacob Fork [Index Nos. 11-129-2-(1) and 11-129-2-(4)] from source to Camp Creek, including all tributaries, were reclassified from Class WS-III trout and WS-III to WS-III trout ORW and WS-III ORW.

(f) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective March 1, 1990 as follows:

- (1) Upper Creek [Index No. 11-35-2-(1)] from source to Timbered Branch including all tributaries except Timbered Branch (Index No. 11-35-2-9) was reclassified from Class C Trout to Class C Trout ORW.
- (2) Steels Creek [Index No. 11-35-2-12(1)] from source to Little Fork and all tributaries was reclassified from Class C Trout to Class C Trout ORW.

(g) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and

.0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(h) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective April 1, 1994 as follows:

- (1) Friday Lake (Index No. 11-125.5) from its source to Little Paw Creek was reclassified from Class C to Class B.
- (2) The Linville River [Index No. 12-29-(1)] from Grandmother Creek to Linville Falls was reclassified from Class C Tr to Class B Tr.

(i) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective July 1, 1995 with the reclassification of Clark Creek from a point 0.6 mile downstream of Catawba County SR 2014 to 0.4 mile upstream of Larkard Creek [Index No. 11-129-5-(4.5)], and Howards Creek from its source to 0.7 mile upstream of Lincoln County State Road 1200 [Index No. 11-129-4], including associated tributaries from Class WS-IV to Classes C and WS-IV.

(j) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective September 1, 1996 as follows:

- (1) North Fork Catawba River [Index No. 11-24-(1)] from Laurel Branch to Armstrong Creek from Class C Tr to Class B Tr; and
- (2) Catawba River (Lake Hickory) from Rhodhiss dam to highway 321 [Index No. 11-(51)] from Class WS-IVCA to Class WS-IV&B CA.

(k) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 1, 1998 as follows:

- (1) Mill Creek [Index No. 11-7] from its source to Swannanoa Creek, including all tributaries, from Class C Tr to Class C Tr HQW; and
- (2) Swannanoa Creek [Index No. 11-7-9] from its source to Mill Creek, including all tributaries, from Class C Tr to Class C Tr HQW; and
- (3) Toms Creek [Index No's. 11-21-(1) and 11-21-(2)] from its source to Harris Creek, including all tributaries, from Class C Tr to Class C Tr HQW and from Harris Creek to McDowell County SR 1434, including all tributaries, from Class C to Class C HQW.

Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1).

* * * * *

Notice is hereby given in accordance with G.S. 150B-21.2 that the EHNR - Water Pollution Control

System Operations Certification Commission intends to adopt rules cited as 15A NCAC 8F .0101 - .0102, .0201 - .0203, .0301, .0401 - .0407, .0501 - .0506. Notice of Rule-making Proceedings was published in the Register on January 2, 1997.

Proposed Effective Date: *August 1, 1998*

A Public Hearing will be conducted at 7:00 p.m. on June 3, 1997 at the Groundfloor Hearing Room, Archdale Building, 512 N. Salisbury Street, Raleigh, NC.

Reason for Proposed Action: *The purpose of this rule-making is to establish the certification procedures and requirements for operators of animal waste management systems as required by NCGS 90A-47. The intent of this certification is to reduce nonpoint source pollution that may result from the land application of animal waste that is generated by animal operations as defined at NCGS 143-215.10B. The certification program is designed to protect the public health and to conserve and protect the quality of the State's agricultural land for the production of food and other agricultural products, and to require the examination of animal waste management system operators and certification of their competency to operate or supervise the operation of those systems.*

Comment Procedures: *Comments, statements, data and other information may be submitted in writing prior to, during, or within 30 days after the date of the final hearing (July 3, 1997) or may be presented orally at the hearing. Oral statements may be limited at the discretion of the hearing officer. Submittal of written copies of oral statements is encouraged. Copies of the proposed rules and information package may be obtained by contacting the Technical Assistance and Certification Group at 919/733-0026. Written comments may be submitted to Bo McMinn, Division of Water Quality, Water Quality Section, Technical Assistance and Certification Group, P.O. Box 29535, Raleigh, NC 27626-0535.*

Fiscal Note: *15A NCAC 8F .0201 - .0203, .0301, .0402 - .0407, .0502 - .0505 affect the expenditure or distribution of State funds. 15A NCAC 8F .0101 - .0102, .0401, .0501, .0506 do not affect the expenditure or distribution of state funds. These Rules do not affect the expenditures or revenues of local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

**CHAPTER 8 - WATER POLLUTION
CONTROL SYSTEM OPERATORS
CERTIFICATION COMMISSION**

**SUBCHAPTER 8F - CERTIFICATION
OF OPERATORS OF ANIMAL WASTE**

MANAGEMENT SYSTEMS

**SECTION .0100 - GENERAL PURPOSE/
DEFINITIONS**

.0101 PURPOSE

(a) The purpose of these Rules is to reduce nonpoint source pollution in order to protect the public health and to conserve and protect the quality of the State's water resources, to encourage the development and improvement of the State's agricultural land for the production of food and other agricultural products, and to require the examination of animal waste management system operators and certification of their competency to operate or supervise the operation of those systems.

(b) These Rules apply to all operators of animal waste management systems that are required to designate an operator in charge as specified by G.S. 90A-47.2(a). These animal waste management systems include those systems that are designed to serve an animal operation involving 250 or more swine, 100 or more confined cattle, 75 or more horses, 1000 or more sheep, or 30,000 or more confined poultry with a liquid animal waste management system.

(c) The Certification Commission shall classify animal waste management systems based on the types of structures and nonstructural practices serving a feedlot that provide for the collection, treatment, storage, or land application of animal waste.

(d) The Certification Commission shall establish certifications for each type of animal waste management system so that persons holding these certificates shall be affirmed competent to operate a specific type of animal waste management system.

Authority G.S. 90A-37; 90A-38; 90A-47; 143B-300.

.0102 DEFINITIONS

(a) "Animal waste" means liquid residuals, resulting from an animal operation that are collected, treated, stored, or applied to the land through an animal waste management system.

(b) "Animal waste management system" means a combination of structures and nonstructural practices serving a feedlot that provide for the collection, treatment, storage, or land application of animal waste.

(c) "Animal waste management system operator" means a person that has been certified by the Certification Commission as a Type A Animal Waste Management System Operator or as a Type B Animal Waste Management System Operator.

(d) "Application of animal waste" means laying, spreading on, irrigating, or injecting animal waste onto or into the soil.

(e) "Appropriate examination" means an examination that has been approved by the Certification Commission.

(f) "Approved training program" means a training program that has been developed and approved by the Certification Commission in cooperation with the Cooperative Extension

Service.

(g) "Certified operator" means a person who holds a currently valid certification as an animal waste management system operator.

(h) "Certification Commission" means the Water Pollution Control System Operators Certification Commission (WPCSOCC) created by G.S. 143B-300.

(i) "Contract animal waste management system operator" means any certified animal waste operator who contracts with the owner or person in control of an animal operation pursuant to G.S. 90A-47.2(b).

(j) "Currently valid certification" means that all training and certification requirements pursuant to G.S. 90A-47.3(b) and G.S. 90A-47.4 have been completed.

(k) "Emergency circumstances" means any extraordinary meteorological event, natural catastrophe, or equipment failure that threatens the integrity of the animal waste management system.

(l) "Operator in Charge" means a person who holds a currently valid certificate to operate an animal waste management system and who has primary responsibility for the operation of the system.

(m) "Owner" means the person who owns or controls the premises of an animal operation having an animal waste management system.

(n) "Person under the supervision of an Operator in Charge" means a person who takes directions from the Operator in Charge and who may only land apply animal waste when the Operator in Charge is available for consultation and advice at any time during the application of animal waste.

Authority G.S. 90A-35; 90A-43; 90A-47; 143B-300.

SECTION .0200 - DUTIES AND REQUIREMENTS

.0201 DUTIES AND REQUIREMENTS OF OWNERS

(a) The owner of each animal operation having an animal waste management system shall submit a letter to the Certification Commission, Division of Water Quality, Technical Assistance and Certification Group, P.O. Box 29535, Raleigh, North Carolina 27626-0535, which designates an Operator in Charge with the appropriate type of certification. This letter shall be signed by the owner and the certified operator and be submitted to the Certification Commission by January 1, 1997 for all facilities in operation as of that date. Otherwise, the Operator in Charge shall be designated:

- (1) before a new animal operation having an animal waste management system is placed in operation after January 1, 1997; or
- (2) within 30 days after a new Operator in Charge is designated.

(b) An owner may voluntarily designate a back-up Operator in Charge to operate the animal waste management system during the absence of the primary Operator in Charge.

Authority G.S. 90A-44; 90A-47; 143B-300.

.0202 DUTIES AND REQUIREMENTS OF CERTIFIED OPERATORS

Certified Operators shall:

- (1) notify the Certification Commission, Division of Water Quality, Technical Assistance and Certification Group, P.O. Box 29535, Raleigh, North Carolina 27626-0535, in writing, within 30 days of any change in address; and
- (2) pay an annual renewal fee as specified at G.S. 90A-47.4(b) and complete all additional training requirements as specified at G.S. 90A-47.3(b).

Authority G.S. 90A-47; 143B-300.

.0203 DUTIES AND REQUIREMENTS OF AN OPERATOR IN CHARGE

(a) An Operator in Charge of any animal waste management system shall:

- (1) possess a currently valid certification as an Animal Waste Management System Operator of the appropriate type;
- (2) visit, and inspect each animal waste management system at a frequency sufficient to ensure proper operation of the system; and
- (3) be responsible for the proper application of the animal waste; properly manage, supervise and document daily operation and maintenance of the system; certify monitoring and reporting information as prescribed in the permit; and reside within reasonable proximity of the system to be readily available for consultation during emergency circumstances, regulatory inspections and similar matters.

(b) The Operator in Charge or a designated back-up Operator in Charge of a Type A Animal Waste Management System shall:

- (1) ensure that animal waste is applied in accordance with the animal waste management plan and the permit issued for the animal operation;
- (2) inspect, or a person under the supervision of an Operator in Charge shall inspect, the land application site at least every four hours during the application of animal waste; and
- (3) inspect the land application site within 24 hours of the application of animal waste if the Operator in Charge was not present during the application of animal waste.

(c) The Operator in Charge or a designated back-up Operator in Charge of a Type B Animal Waste Management System shall:

- (1) ensure that animal waste is applied in accordance with the animal waste management plan and the permit issued for the animal operation;
- (2) inspect, or a person under the supervision of an Operator in Charge shall inspect, the land

- application site during the application of animal waste; and
- (3) inspect the land application site within 48 hours of the application of animal waste if the Operator in Charge was not present during the application of animal waste.
- (d) Any certified operator that contracts with an owner to serve as Operator in Charge shall submit an annual report to the Certification Commission in accordance with G.S. 90A-45(c). This report shall be submitted on or before January 15 of each year and shall include the following information:
- (1) the name of the certified operator, mailing address, phone number, and certificate number(s); and
 - (2) the name, mailing address, county, and facility identification number, and type of each animal waste management system for which the certified operator has been designated as Operator in Charge.

Authority G.S. 90A-47; 143B-300.

SECTION .0300 - CLASSIFICATION

.0301 CLASSIFICATION OF ANIMAL WASTE MANAGEMENT SYSTEMS

The Certification Commission shall classify animal waste management systems based on the types of structures and nonstructural practices serving a feedlot that provide for the collection, treatment, storage, or land application of animal waste.

- (1) Type A: animal waste management systems that may include the following structures and nonstructural components that provide for the collection, treatment, storage and land application of animal waste and primarily rely on an anaerobic lagoon and soil/plant systems for the treatment of animal waste. These systems generally include the following components: anaerobic lagoon; pumps, pipes and associated appurtenances that convey the waste from point of generation to final treatment/disposal site; flushing systems; solids separation equipment; irrigation equipment; and land application site and crops. Type A animal waste management systems are generally used to treat waste generated by monogastric animals which produce a low-fiber waste. Animal waste management systems which include components that are significantly different than the system described in this item of this Rule shall be evaluated by the Commission, or its designee, to determine if the system is subject to classification in accordance with Rule 15A NCAC 8C .0002(b).
- (2) Type B: animal waste management systems that may include the following structures and nonstructural components that provide for the collection, treatment, storage and land application of animal waste and primarily rely on soil/plant

systems for the treatment of animal waste. These systems generally include the following components : dry stacks; solids and slurry collection equipment; storage ponds for the collection of solids and runoff; pumps, pipes and associated appurtenances that convey the waste from point of generation to final Type B animal waste management systems are generally used to treat waste generated by ruminants and other animals which produce a high-fiber waste. Animal waste management systems which include components that are significantly different than the system described in Item (1) of this Rule shall be evaluated by the Commission, or its designee, to determine if the system is subject to classification in accordance with Rule 15A NCAC 8C .0002(b).

Authority G.S. 90A-37; 90A-47; 143B-300.

SECTION .0400 - CERTIFICATION OF OPERATORS

.0401 QUALIFICATIONS FOR EXAMINATION

- (a) Type A Animal Waste Management System Operator.
- (1) An applicant for certification as a Type A Animal Waste Management System Operator shall be expected to have a general knowledge of animal operations and Type A animal waste management systems. The applicant shall have knowledge of the laws and regulations related to the operation of Type A animal waste management systems, the equipment usually employed in Type A animal waste management systems, be able to describe the general maintenance requirements for such equipment, have the ability to perform calibrations and calculations relating to the land application of the waste, have an understanding of animal waste management plans, and be able to read and complete the forms necessary to document the proper land application of animal waste in accordance with the animal waste management plan. The applicant must submit an application to the Certification Commission showing that the following requirements have been met in order to take an examination for certification as a Type A Animal Waste Management System Operator:
 - (A) be at least 18 years of age;
 - (B) completion of a 10 hour training program on the operation of Type A animal waste management systems that provides instruction regarding the collection, storage, treatment, and land application of animal waste.
 - (2) An applicant who has failed to pass the appropriate examination after three attempts must attend and satisfactorily complete the approved training program before being eligible to retake the

examination.

(b) Type B Animal Waste Management System Operator.

- (1) An applicant for certification as a Type B Animal Waste Management System Operator shall be expected to have a general knowledge of animal operations and Type B animal waste management systems. The applicant shall have knowledge of the laws and regulations related to the operation of Type B animal waste management systems, knowledge of the equipment usually employed in Type B animal waste management systems, be able to describe the general maintenance requirements for such equipment, have the ability to perform calibrations and calculations relating to the land application of the waste, have an understanding of animal waste management plans, and be able to read and complete the forms necessary to document the proper land application of animal waste in accordance with the animal waste management plan. The applicant must submit an application to the Certification Commission showing that the following requirements have been met in order to take an examination for certification as a Type B Animal Waste Management System Operator:
- (A) be at least 18 years of age;
- (B) completion of a 10 hour training program on the operation of Type B Animal Waste Management Systems that provides instruction regarding the collection, storage, treatment, and application of animal waste.
- (2) An applicant who has failed to pass the appropriate examination after three attempts must attend and satisfactorily complete the approved training program before being eligible to retake the examination.

Authority G.S. 90A-43; 90A-47; 143B-300.

.0402 APPLICATION FORM

(a) An application form which is designed for requesting certification as an Animal Waste Management System Operator by way of examination must be properly and accurately completed and submitted with the appropriate fee as stipulated by G.S. 90A-47.4 to the Certification Commission, Division of Water Quality, Technical Assistance and Certification Group, P.O. Box 29535, Raleigh, North Carolina 27626-0535.

(b) Incomplete applications and applications not accompanied by the appropriate fee and attachments cannot be processed and will be returned to the applicant.

Authority G.S. 90A-39; 90A-47; 143B-300.

.0403 APPLICATION PROCEDURES

(a) An application being filed for examination shall be postmarked by the United States Postal Service at least 30

days prior to the date upon which the examination is scheduled to be administered and the appropriate fee must accompany the application.

(b) Upon receipt of the application by the Certification Commission, the application will be reviewed by the designee(s) of the Certification Commission for eligibility to take the examination. The applicant will be notified by letter, which will serve as the receipt for the examination fee, of his/her eligibility and will be advised of the date, time and place of the examination. In cases where the applicant is ineligible for examination, the applicant will also be notified by letter and advised of the reason for ineligibility. The examination fee will be refunded in the event that the applicant is determined to be ineligible for the examination. Upon notification of ineligibility, the applicant may request a hearing before the Certification Commission at the next regularly scheduled meeting relative to the ineligibility. Such requests must be in writing and shall be submitted at least 30 days prior to the next regularly scheduled meeting. Any applicant who intentionally supplies false information on the application for certification for the purpose of gaining eligibility, will be ineligible for the examination and will forfeit the examination fee. Applicants who have intentionally supplied false information and who have been determined to be ineligible who wish to reapply for certification shall follow the procedure set forth in Rule .0407(d) of this Section.

Authority G.S. 90A-39; 90A-47; 143B-300.

.0404 EXAMINATION PROCEDURES

The Certification Commission or its designee shall conduct examinations for certification in accordance with the following:

- (1) The dates, times, and places of examination shall be determined by the Certification Commission. Announcements of the dates, times and places of examination shall be distributed to the Cooperative Extension Service office in each county.
- (2) Each applicant applying for examination shall be notified of the date, time, and place of the examination in accordance with Rule .0403(b) of this Section.
- (3) Examinations approved by the Certification Commission shall be given only to those who, after filing proper application, have been determined to be eligible.
- (4) When each applicant receives his/her examination paper, he/she shall identify themselves by way of a valid driver's license or other form of photo identification satisfactory to the proctor of the examination.
- (5) Representatives of the Certification Commission or its designee(s), who are supervising the examinations may take appropriate action against applicants, including dismissal from the examination, if the examination policies and

- procedures are not followed.
- (6) An examination score of 70 percent or higher shall constitute a passing score.
- (7) The applicant shall be notified, in writing only, of the score achieved on the examination by the Certification Commission or its designee. The results of the examination shall be mailed to the address submitted with the application for examination. If a passing score is made, such notification constitutes certification by the Certification Commission that the applicant is qualified operator of the appropriate type of animal waste management systems and shall be issued a certificate by the Certification Commission. After each examination, a list of those certified shall be prepared and made part of the permanent records of the Certification Commission.

Authority G.S. 90A-39; 90A-47; 143B-300.

.0405 RENEWAL OF CERTIFICATION

A currently valid certification as an animal waste management system operator shall be maintained by:

- (1) the payment of an annual renewal fee by the date established by the Certification Commission;
- (2) completion of a minimum of six hours of additional training approved by the Certification Commission during each three year period following initial certification; and
- (3) a certified animal waste management system operator that fails to pay the annual renewal fee within 30 days of the due date, or fails to complete the approved additional training within 30 days of the end of three year period, shall take and pass an examination approved by the Certification Commission in order to renew the certificate.

Authority G.S. 90A-47; 143B-300.

.0406 REVOCATION, RELINQUISHMENT OR INVALIDATION OF CERTIFICATION

(a) The Certification Commission, in accordance with the provisions of G.S. 150B, may suspend or revoke the certificate of a certified operator, or issue a written reprimand to an operator if it finds that the operator:

- (1) engages in fraud or deceit in obtaining certification; or
- (2) fails to exercise reasonable care, judgment, or use of the operator's knowledge and ability in the performance of the duties of an operator in charge; or
- (3) is incompetent or otherwise unable to properly perform the duties of an operator in charge.

(b) Prior to the Certification Commission taking action on a proposed revocation, suspension, or civil penalty assessment, the operator shall be given an opportunity to submit a written statement and present oral argument before

the Certification Commission at a regularly scheduled meeting. The operator shall be notified by the Certification Commission in writing at least 15 days prior to the meeting. This notification shall be delivered by first class mail to the operator's address that the Certification Commission has on file.

(c) The Certification Commission may issue a written reprimand to an operator in accordance with G.S. 90A-41. The reprimand shall be delivered personally or by certified mail. A copy of the letter will be kept in the operator's file and a copy will be sent to the operator's employer. The operator will be given the opportunity to put a letter of rebuttal into the file when a reprimand has been issued.

Authority G.S. 90A-41; 90A-47; 143B-300; 150B-3; 150B-23; 150B-38; 150B-52.

.0407 RECERTIFICATION FOLLOWING REVOCATION OR RELINQUISHMENT

(a) After revocation or relinquishment has been effective for a period of not less than 270 days, a person may apply in writing for recertification by the Certification Commission. The petition must include any relevant facts concerning changes to conditions under which revocation or relinquishment occurred. Such facts must show clearly that the applicant will comply with the laws and regulations concerning the operation of animal waste management systems.

(b) Within 120 days following receipt of an application for recertification, the Certification Commission will notify the applicant by letter of its decision to deny or grant examination eligibility in accordance with procedures set out in Rule .0403 of this Section. Additional eligibility requirements including a show cause conference may be imposed by the Certification Commission as it deems appropriate. Eligibility will only be granted if there is substantial evidence that the conditions leading to the revocation or relinquishment have been corrected.

(c) Recertification of a person as an operator of animal waste management systems shall only occur by means of application and examination. The examination will not be waived. The applicant shall meet the eligibility requirements as outlined in Rule .0401 of this Section.

(d) Upon notification of the Certification Commission's decision to deny eligibility, the applicant may appeal the decision pursuant to the procedures contained in G.S. 150B, Article 3.

(e) Prior to recertification the applicant must pay in full all civil penalties assessed against them by the Certification Commission.

Authority G.S. 90A-39; 90A-47; 143B-300; 150B-3; 150B-38.

SECTION .0500 - CIVIL PENALTIES

.0501 WHO MAY ASSESS

Civil penalties may be assessed by the Secretary of the Department of Environment, Health, and Natural Resources or his designee, for willful violation of the requirements of G.S. 90A-47 and this Subchapter.

Authority G.S. 90A-47.

.0502 WHEN ASSESSABLE

Civil penalties may be assessed whenever the Secretary, or his designee, has determined that an owner of an animal operation with an animal waste management system, or an Operator in Charge of an animal waste management system, willfully violates the requirements of G.S. 90A-47 and this Subchapter. Violations that may result in the assessment of civil penalties include, in addition to matters specially referenced in G.S. 90A-47.5(a), failure to designate a properly certified Operator In Charge of the animal waste management system as required by G.S. 90A-47.2(a).

Authority G.S. 90A-47.

.0503 STANDARDS

In determining the amount of the assessment the Secretary, or his designee, shall consider the following standards:

- (1) duration of the violation;
- (2) other violations of this Subchapter or G.S. 143-215.6(a);
- (3) effectiveness of preventive or responsive measures taken by violator;
- (4) cost of rectifying any damage caused by the violation; and
- (5) the violator's previous record in complying or not complying with the requirements of G.S. 143. Article 21.

Authority G.S. 90A-47.

.0504 ASSESSMENT

(a) For all violations for which a penalty is assessed a notice of such action shall be sent to the respondent by certified mail. The notice will describe the violation, advise that the penalty is due, and advise the respondent of the rights of appeals as specified in Rule .0505 of this Section.

(b) The Secretary, or his designee, may modify a penalty to a lower amount upon finding that additional or different facts should be or should have been considered in determining the amount of assessment.

Authority G.S. 90A-47.

.0505 PAYMENT AND HEARING

(a) Within 30 days after receipt of notification of an assessment, the assessed person must tender payment, or submit in writing a request for remission or reduction of the penalty, or file a petition with the Office of Administrative Hearings in accordance with the procedures found in G.S. 150B, Article 3.

(b) The Secretary, or his designee, will accept and acknowledge all tenders of payment on behalf of the Certification Commission. Requests for remission or reduction of the penalty will be presented to the Certification Commission and the respondent will be allowed the opportunity to present its request only when the respondent and Chairman stipulate that no facts are in dispute, or where the respondent waives his right to an administrative hearing.

Authority G.S. 90A-47.

.0506 REFERRALS

If any civil penalty as finally assessed is not paid, the Secretary, or his designee, on behalf of the Certification Commission shall request the Attorney General to commence action to recover the amount of assessment.

Authority G.S. 90A-47.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 4 - COMMISSION FOR AUCTIONEERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Auctioneers Commission intends to amend rule cited as 21 NCAC 4B .0202. Notice of Rule-making Proceedings was published in the Register on December 16, 1996.

Proposed Effective Date: September 1, 1998

A Public Hearing will be conducted at 2:30 p.m. on June 14, 1997 at the Wilmington Hilton, 301 N. Water Street, Wilmington, NC.

Reason for Proposed Action: Due to increased operating costs, additional revenues are necessary. This action would increase all fees received from applicants and licensees by raising fees to the maximum amounts allowable by Statute.

Comment Procedures: Written comments concerning this rule-making action should be submitted to Wayne Woodard, Executive Director, N.C. Auctioneer Licensing Board, 1313 Navaho Drive, Suite 201, Raleigh, NC 27609-7461. Comments must be received in the Board's office by June 16, 1997.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

SUBCHAPTER 4B - AUCTIONEER LICENSING BOARD

**SECTION .0200 - APPLICATION FOR
LICENSE**

.0202 FILING AND FEES

(a) Properly completed applications must be filed (received, not postmarked) in the Board office at least seven days prior to an established Board meeting date, or in the case of an application for auctioneer examination, at least 10 days prior to a scheduled examination and must be accompanied by all required documents.

(b) License fees are as follows:

- | | | |
|------|--|------------------------------------|
| (1) | New auctioneer license for an applicant who did not serve an apprenticeship | \$125.00 <u>\$175.00</u> |
| | This includes a \$75.00 <u>\$100.00</u> annual license fee; \$25.00 <u>\$50.00</u> application fee; and \$25.00 examination fee. | |
| (2) | New auctioneer license for an apprentice auctioneer | \$100.00 <u>\$125.00</u> |
| | This includes a \$75.00 <u>\$100.00</u> annual license fee; and \$25.00 examination fee. | |
| (3) | Renewal of auctioneer license | \$75.00 <u>\$100.00</u> |
| (4) | New apprentice auctioneer license | \$50.00 <u>\$100.00</u> |
| | This includes a \$25.00 <u>\$50.00</u> license fee and a \$25.00 <u>\$50.00</u> application fee. | |
| (5) | Renewal of apprentice auctioneer license | \$25.00 <u>\$50.00</u> |
| (6) | New auction firm license (no examination) | \$100.00 <u>\$150.00</u> |
| | This includes a \$75.00 <u>\$100.00</u> annual license fee; and \$25.00 <u>\$50.00</u> application fee. | |
| (7) | New auction firm license (examination) | \$125.00 <u>\$175.00</u> |
| | This includes a \$75.00 <u>\$100.00</u> annual license fee; \$25.00 <u>\$50.00</u> application fee; and \$25.00 examination fee. | |
| (8) | Renewal of an auction firm license | \$75.00 <u>\$100.00</u> |
| (9) | Application and processing fee for conversion of non-resident reciprocal license to in-state license | \$25.00 |
| (10) | Reinstatement of lapsed license fee | \$25.00 |
- (c) Fees may be paid in the form of a cashier's check, certified check or money order made payable to the North Carolina Auctioneer Licensing Board. Checks drawn on escrow or trust accounts shall not be accepted. Personal checks may be accepted for payment of renewal fees.

Authority G.S. 85B-4.1; 85B-6.

* * * * *

CHAPTER 36 - BOARD OF NURSING

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Nursing intends to amend rule cited as 21 NCAC 36 .0109. Notice of

Rule-making Proceedings was published in the Register on March 14, 1997.

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 1:30 p.m. on September 19, 1997 at the Embassy Suites Hotel, 4700 Creedmoor Road, Raleigh, NC.

Reason for Proposed Action: To incorporate new technology for selection of Board Members by utilizing telecommunications.

Comment Procedures: Any person wishing to present oral testimony relevant to proposed rule may register at the door before the hearing begins and present hearing officer with a written copy of testimony. Written comments concerning this amendment must be submitted by September 19, 1997 to: North Carolina Board of Nursing, P.O. Box 2129, Raleigh, NC 27602; Attn: Jean H. Stanley, APA Coordinator.

Fiscal Note: This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

SECTION .0100 - GENERAL PROVISIONS

**.0109 SELECTION AND QUALIFICATIONS
OF NURSE MEMBERS**

(a) Vacancies in nurse member positions on the Board that are scheduled to occur during the next year shall be announced in the December issue of the North Carolina Board of Nursing "Bulletin", which shall be mailed to the address on record for each North Carolina currently licensed nurse on December 1. The "Bulletin" shall include a petition form for nominating a nurse to the Board and information on filing the petition with the Board.

(b) Each petition shall be checked with the records of the Board to validate that the nominee and each petitioner hold a current North Carolina license to practice nursing. If the nominee is found to be not currently licensed, the petition shall be declared invalid. If any petitioners are found to be not currently licensed and this finding decreases the number of petitioners to less than ten, the petition shall be declared invalid.

(c) On a form provided by the Board, each nominee shall indicate the category for which nominee is seeking election, shall attest to meeting the qualifications specified in G.S. 90-171.21(d) and shall provide written permission to be listed on the ballot. The form must be postmarked on or before April 15.

(d) The majority of employment income of registered nurse members of the Board, must be earned by holding positions with primary responsibilities in nursing education or in nursing practice which includes administration, supervision, planning, delivery or evaluation of nursing care

as specified in G.S. 90-171.21(d). The following apply in determining qualifications for registered nurse categories of membership:

- (1) Nurse Educator includes any nurse who teaches in or directs a basic or graduate nursing program; or who teaches in or directs a continuing education or staff development program for nurses.
- (2) Hospital is defined as any facility which has an organized medical staff and which is designed, used, and primarily operated to provide health care, diagnostic and therapeutic services, and continuous nursing to inpatients.
- (3) Hospital Nursing Service Director is any nurse who is the chief executive officer for nursing service.
- (4) Employed by a hospital includes any nurse employed by a hospital.
- (5) Employed by a physician includes any nurse employed by a physician or group of physicians licensed to practice medicine in North Carolina and engaged in private practice.
- (6) Employed by skilled or intermediate care facility includes any nurse employed by a long term nursing facility.
- (7) Registered nurse approved to perform medical acts includes any nurse approved for practice in North Carolina as a Nurse Practitioner or Certified Nurse Midwife.
- (8) Community health nurse includes any nurse who functions as a generalist or specialist in areas including, but not limited to, public health, student health, occupational health or community mental health.

(e) The term "nursing practice" when used in determining qualifications for registered or practical nurse categories of membership, means any position for which the holder of the position is required to hold a current license to practice nursing.

(f) A nominee shall be listed in only one category on the ballot.

(g) If there is no nomination in one of the registered nurse categories, all registered nurses who have been duly nominated and qualified shall be eligible for an at-large registered nurse position. A plurality of votes for the registered nurse not elected to one of the specified categories shall elect that registered nurse to the at-large position.

(h) Separate ~~ballots~~ slates shall be prepared for election of registered nurse nominees and for election of licensed practical nurse nominees. Nominees shall be listed in random order on the ~~ballot slate~~ for licensed practical nurse nominees and within the categories for registered nurse nominees. ~~Ballots shall be accompanied by biographical data on nominees and a passport-type photograph. Ballots shall prescribe the method of voting. Slates shall be published in the "Bulletin" following the Spring Board meeting and shall be accompanied by biographical data on nominees and a passport-type photograph.~~

(i) Any nominee may withdraw her/his name at any time by written notice prior to the date and hour fixed by the Board as the latest time for ~~return for ballots~~: voting. Such nominee shall be eliminated from the contest and any votes cast for that nominee shall be disregarded.

(j) ~~On or about June 15, the appropriate ballot and a return official envelope shall be mailed to the address on record for each currently licensed nurse on that date, together with a notice designating the latest day and hour for return of ballot which shall not be earlier than the tenth day following the mailing.~~

(l) The procedure for voting shall be identified in the "Bulletin" following the Spring Board meeting, together with a notice designating the latest day and hour for voting.

(k) The Board of Nursing may contract with a computer or other service for receipt of envelopes with ballots and the counting of ballots: to receive the votes and tabulate the results.

(l) ~~The counting of ballots shall be conducted as follows:~~

(1) ~~The certificate number and name of the voter shall be entered on the perforated section of the ballot sheet.~~

(2) ~~The certificate number and name of the voter shall be matched with the registration list. In the event that there is not a match, the entire ballot sheet shall be set aside for inspection, validation, or invalidation by the Board of Nursing.~~

(3) ~~Those ballots which are not set aside shall have the perforated section completely separated from the ballot portion of the sheet.~~

(4) ~~Only official ballots shall be counted.~~

(5) ~~A ballot marked for more names than there are positions to be filled shall not be counted for that category but shall be counted for all other categories voted correctly.~~

(6) ~~If for any reason it is impossible to determine a voter's choice for a category of nurse, that ballot shall not be counted for that category, but shall be counted for all other categories clearly indicated.~~

(7) ~~Ballots identified in (2), (5) and (6) of this Paragraph shall be set aside for inspection and determination by the Board of Nursing.~~

(l) The tabulation and verification of the tabulation of votes shall include the following:

(1) The certificate number shall be provided for each individual voting.

(2) The certificate number shall be matched with the database from the Board.

(m) A plurality vote shall elect. If more than one person is to be elected in a category, the plurality vote shall be in descending order until the required number has been elected. In any election, if there is a tie vote between nominees, the tie shall be resolved by a draw from the names of nominees who have tied.

(n) The results of an election shall be recorded in the minutes of the next regular meeting of the Board of Nursing following the election and shall include at least the following:

- (1) the number of nurses eligible to vote;
 - (2) the number of return ballots set aside and the disposition of same;
 - (3) the number of ballots cast;
 - (4) the number of ballots declared invalid; and
 - (5) the number of votes cast for each person on the ballot.
- (2) the number of votes cast; and
(3) the number of votes cast for each person on the slate.

(o) The results of the election shall be forwarded to the Governor and the Governor shall commission those elected to the Board of Nursing.

(p) All petitions to nominate a nurse, signed consents to appear on the ~~ballot~~, slate, verifications of qualifications, ~~perforated sections of the ballot sheets containing the certificate number and name of the voter, and the ballots shall be preserved and copies of the computerized validation and tabulation shall be retained~~ for a period of three months following the close of an election.

Authority G.S. 90-171.21; 90-171.23(b).

TITLE 24 - INDEPENDENT AGENCIES

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Housing Finance Agency intends to adopt rules cited as 24 NCAC 1P .0101 -.0103, .0201 - .0203. Notice of Rule-making Proceedings was published in the Register on October 15, 1996.

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 10:00 a.m. on May 30, 1997 at the North Carolina Housing Finance Agency, 3801 Lake Boone Trail, Suite 200, Raleigh, NC 27607-2926.

Reason for Proposed Action: The North Carolina Housing Finance Agency adopted temporary rules which were published in the North Carolina Register on October 15, 1996. Based on input received during the public comment period, the Agency has amended Rule .0103 to clarify the conditions under which loans will be accelerated.

Comment Procedures: Written comments must be submitted to the APA coordinator within 30 days of the publication of this rule in the North Carolina Register. Comments should be sent to C. William Dowse at the North Carolina Housing Finance Agency, 3801 Lake Boone Trail, Raleigh, NC 27607-2926.

Fiscal Note: These Rules affect the expenditure or distribution of State funds. These Rules do not affect the expenditure or distribution of local funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 1 - N.C. HOUSING FINANCE AGENCY

SUBCHAPTER 1P - FIRE PROTECTION FUND

SECTION .0100 - GENERAL INFORMATION

.0101 PURPOSE

The rules in this Subchapter implement the Adult Care Home, Group Home, and Nursing Home Fire Protection Fund ("Fire Protection Fund") created by G.S. 122A-5.13.

Authority G.S. 122A-5; 122A-5.1; 122A-5.13.

.0102 ELIGIBILITY

Principal sponsors or owners of a facility occupied by the elderly or developmentally disabled and licensed under G.S. 131D-2 and G.S. 131E. Article 6 shall be eligible to participate in the Fire Protection Fund program.

Authority G.S. 122A-5; 122A-5.1; 122A-5.13.

.0103 TYPES OF ASSISTANCE

(a) The North Carolina Housing Finance Agency shall use program funds to make loans secured by the facility and real property. Loans for smoke detection systems shall have an interest rate of 3%-6% and a maximum term of 10 years. Loans for sprinkler systems shall have an interest rate of 3% and a maximum term of 20 years. The interest rate for smoke detection system loans shall be determined based on the Fund's selection criteria as outlined in Rule .0202 of this Subchapter.

(b) The maximum loan amounts shall be calculated as defined in G.S. 122A-5.13.

(c) Loans shall be amortizing and secured by a note and deed of trust. These loan documents shall provide for the acceleration of the debt in the event that a facility becomes subject to a negative administrative action by the North Carolina Division of Facility Services or the United States Health Care Financing Administration that would cause revocation of licensure or, in the event that the borrower fails to make timely payments.

(d) The North Carolina Housing Finance Agency shall charge a loan origination fee and a servicing fee to reimburse actual costs. The origination fee shall not exceed 1% of the individual loan amount. The servicing fee shall not exceed 1% of 1% of the loan balance.

Authority G.S. 122A-5; 122A-5.1; 122A-5.13.

SECTION .0200 - ADMINISTRATION

.0201 APPLICATION PROCEDURES

A request for proposals shall be published and other forms of public notice shall be used to solicit applications from eligible borrowers.

Authority G.S. 122A-5; 122A-5.1; 122A-5.13.

.0202 SELECTION PROCEDURE

Applications for financial assistance shall be evaluated and selected using the following criteria in order to improve safety for the greatest number of vulnerable residents:

- (1) Financial need; and
- (2) Percentage of nonambulatory and disabled residents; and
- (3) Estimated economic life of the facility; and
- (4) Reliability of current fire protection systems and services; and
- (5) Degree to which proposed costs are below the program maximums per square foot; and
- (6) Receipt by the facility of any negative

administrative action taken by the North Carolina Division of Facility Services or the United States Health Care Financing Administration.

Authority G.S. 122A-5; 122A-5.1; 122A-5.13.

.0203 DISBURSEMENT OF FUNDS

Loan funds shall be disbursed on a reimbursement basis. Loan funds shall not be disbursed until the installation of the fire protection system has been approved by the Division of Facility Services.

Authority G.S. 122A-5; 122A-5.1; 122A-5.13.

The List of Rules Codified is a listing of rules that were filed with OAH in the month indicated and have been entered into the Code.

Key:

Citation	= Title, Chapter, Subchapter and Rule(s)
AD	= Adopt
AM	= Amend
RP	= Repeal
With Chgs	= Final text differs from proposed text
Corr	= Typographical errors or changes that requires no rulemaking
Temp.	= Rule was filed as a temporary rule
Eff. Date	= Date rule becomes effective

NORTH CAROLINA ADMINISTRATIVE CODE

APRIL 1997

TITLE	DEPARTMENT	TITLE	DEPARTMENT
11	Insurance	21	Occupational Licensing Board
15A	Environment, Health, and Natural Resources		46 -Pharmacy
19A	Transportation		

RULE CITATION	AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
11 NCAC 11F .0401	✓			✓			01/01/98
.0402	✓						01/01/98
.0403 - .0405	✓			✓			01/01/98
12 .1702		✓					05/01/97
15A NCAC 2H .0225		✓				✓	05/08/97
2R .0501 - .0504	✓					✓	05/06/97
3I .0107		✓					05/01/97
3I .0110		✓					05/01/97
3I .0116		✓					05/01/97
3J .0104		✓					05/01/97
3J .0301		✓					05/01/97
3K .0105		✓					05/01/97
3K .0204		✓					05/01/97
3K .0304		✓					05/01/97
3L .0203		✓					05/01/97
3L .0205		✓					05/01/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WTTH CHGS	CORR	TEMP	EFFECTIVE DATE
15A NCAC 3M .0401		✓					05/01/97
3N .0103		✓		✓			05/01/97
3N .0104 - .0105		✓					05/01/97
3O .0201 - .0202		✓		✓			05/01/97
3O .0205		✓		✓			05/01/97
3O .0208		✓		✓			05/01/97
3R .0101 - .0105		✓					05/01/97
3R .0107		✓					05/01/97
10D .0003		✓					05/01/97
19A NCAC 2E .0210		✓					05/01/97
21 NCAC 46 .1317		✓		✓			05/01/97
46 .1401		✓		✓			05/01/97
46 .1402 - .1404				✓			05/01/97
46 .1406				✓			05/01/97
46 .1408				✓			05/01/97
46 .1410 - .1416	✓				✓		05/01/97
46 .1604		✓			✓		05/01/97
46 .1703		✓			✓		05/01/97
46 .2611	✓				✓		05/01/97

The following is a list of rules approved by the Rules Review Commission from May 1996 through December 1996. These rules were reviewed before the thirty-first legislative day of the 1997 Regular Session of the General Assembly that convened on January 29, 1997. Statutory Reference G.S. 150B-21.3(b).

Key:

<i>Citation</i>	= Title, Chapter, Subchapter and Rule(s)
<i>AD</i>	= Adopt
<i>AM</i>	= Amend
<i>RP</i>	= Repeal
<i>With Chgs</i>	= Final text differs from proposed text
<i>Corr</i>	= Typographical errors or changes that requires no rulemaking
<i>Temp.</i>	= Rule was filed as a temporary rule
<i>Eff. Date</i>	= Date rule becomes effective

**RULES CODIFIED
INTO THE CODE**

MARCH 1997

TITLE	DEPARTMENT		TITLE	DEPARTMENT
2	Agriculture		19A	Transportation
4	Commerce		21	Occupational Licensing Boards
7	Cultural Resources			12 - General Contractors
10	Human Resources			58 - Real Estate Commission
11	Insurance			60 - Refrigeration Examiners
15A	Environment, Health, and Natural Resources			63 - Certification Board for Social Work
16	Public Education	23		69 - Soil Scientists
17	Revenue	26		Community Colleges
				Administrative Hearings

RULE CITATION		AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
2	NCAC 9C .0701 - .0702		✓					04/01/97
	.0704			✓				04/01/97
	48A .1103		✓		✓			04/01/97
	.1110		✓		✓			04/01/97
	48B .0112		✓					04/01/97
	.0114		✓					04/01/97
	.0119		✓					04/01/97
	.0120		✓		✓			04/01/97
	52B .0201		✓					04/01/97
4	NCAC 12C .0007			✓				04/01/97
7	NCAC 5 .0202 - .0203		✓					04/01/97
	.0204			✓				04/01/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WTTH CHGS	CORR	TEMP	EFFECTIVE DATE
7 NCAC 5 .0207		✓					04/01/97
10 NCAC 3R .3001		✓		✓			04/01/97
.3010		✓					04/01/97
.3020		✓		✓			04/01/97
.3032		✓		✓			04/01/97
.3040		✓		✓			04/01/97
.3050		✓		✓			04/01/97
3U .0102		✓		✓			04/01/97
.0704		✓		✓			04/01/97
.0710		✓		✓			04/01/97
.2701 - .2704	✓			✓			04/01/97
20B .0204 - .0205		✓		✓			04/01/97
.0206		✓					04/01/97
.0208 - .0210		✓					04/01/97
.0214		✓					04/01/97
.0218		✓		✓			04/01/97
.0222		✓		✓			04/01/97
.0224		✓					04/01/97
.0226 - .0227		✓					04/01/97
20C .0603		✓					04/01/97
20D .0204		✓		✓			07/01/97
26H .0602		✓					04/01/97
41F .0705		✓		✓			07/01/97
.0706			✓				04/01/97
.0707	✓			✓			04/01/97
.0812			✓				04/01/97
.0813 - .0814	✓			✓			04/01/97
41P .0102		✓		✓			04/01/97
.0105		✓		✓			04/01/97
.0106		✓		✓			04/01/97
.0108 - .0112		✓		✓			04/01/97
.0113	✓			✓			04/01/97

LIST OF RULES CODIFIED

RULE CITATION		AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
10	NCAC 42A .0701	✓						04/01/97
	.0702	✓			✓			04/01/97
	.0703	✓			✓			04/01/97
	42B .1209			✓				05/01/97
	.1210 - .1211	✓			✓			05/01/97
	.2402 - .2405	✓						05/01/97
	42C .2010			✓				05/01/97
	.2011 - .2012	✓			✓			05/01/97
	.3701	✓						05/01/97
	.3702 - .3703	✓						05/01/97
	.3704	✓						05/01/97
	42D .1409			✓				05/01/97
	.1410 - .1411	✓			✓			05/01/97
	.1827 - .1830	✓						05/01/97
	42V .0201		✓		✓			04/01/97
	.0802 - .0803		✓		✓			04/01/97
	49A .0102		✓					04/01/97
	49B .0202		✓		✓			04/01/97
	.0310		✓		✓			04/01/97
	.0502							04/01/97
11	NCAC 12 .0551		✓		✓			04/01/97
	16 .0703		✓					04/01/97
15A	NCAC 2B .0229	✓			✓			04/01/97
	.0237	✓			✓			04/01/97
	.0315		✓		✓			04/01/97
	2D .0518		✓					04/01/97
	.0524		✓		✓			04/01/97
	.0530		✓					07/01/97
	.0902		✓					04/01/97
	.0907			✓				04/01/97
	.0909		✓					04/01/97
	.0910 - .0911			✓				04/01/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
15A NCAC 2D .0946			✓				04/01/97
.0954		✓		✓			04/01/97
.1110		✓		✓			07/01/97
.1111		✓		✓			04/01/97
.1402 - .1403		✓					04/01/97
2Q .0102		✓		✓			07/01/97
.0104		✓		✓			07/01/97
.0107		✓					07/01/97
.0507		✓					07/01/97
.0512		✓					07/01/97
.0514 - .0515		✓					07/01/97
.0517		✓					07/01/97
3I .0101		✓		✓			04/01/97
.0105		✓		✓			04/01/97
3L .0201		✓		✓			04/01/97
3M .0202		✓					04/01/97
.0503		✓					04/01/97
.0504		✓		✓			04/01/97
.0506		✓					04/01/97
.0511		✓		✓			04/01/97
3R .0106 - .0107		✓					04/01/97
6E .0102 - .0103		✓					04/01/97
7H .0104		✓		✓			04/01/97
.0304		✓		✓			04/01/97
7J .0102		✓					04/01/97
10B .0106		✓		✓			07/01/97
.0113		✓		✓			07/01/97
.0115		✓					04/01/97
.0123		✓					04/01/97
.0203		✓		✓			07/01/97
.0209		✓					07/01/97
.0205		✓		✓			07/01/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
15A NCAC 10C .0305		✓		✓			07/01/97
10D .0003		✓		✓			07/01/97
10F .0102 - .0104		✓		✓			04/01/97
.0105		✓					09/01/96
.0105 - .0107		✓		✓			04/01/97
.0109	✓			✓			04/01/97
.0303		✓					04/01/97
.0305		✓					04/01/97
.0307		✓					04/01/97
.0310		✓					04/01/97
.0310		✓					04/01/97
.0348		✓		✓			04/01/97
10G .0102 - .0103			✓				04/01/97
.0202 - .0203			✓				04/01/97
.0206			✓				04/01/97
.0302 - .0303			✓				04/01/97
.0401	✓						04/01/97
.0402 - .0404	✓			✓			04/01/97
.0501	✓			✓			04/01/97
10I .0001			✓				04/01/97
.0002		✓		✓			04/01/97
12B .1206	✓			✓			04/01/97
13C .0301	✓			✓			04/01/97
.0302	✓			✓			04/01/97
.0303	✓			✓			04/01/97
.0304	✓			✓			04/01/97
.0305	✓			✓			04/01/97
.0306	✓			✓			04/01/97
.0307 - .0308	✓			✓			04/01/97
18A .0136 - .0137		✓					04/01/97
.0159		✓					04/01/97
.0169		✓					04/01/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
15A NCAC 18A .0173		✓		✓			04/01/97
.0174 - .0175		✓					04/01/97
.0184	✓						04/01/97
.0186	✓						04/01/97
.0302		✓		✓			04/01/97
.0401		✓					04/01/97
.0424 - .0425		✓					04/01/97
.0615 - .0616		✓					04/01/97
.0617		✓		✓			04/01/97
.0620	✓						04/01/97
.1302		✓					04/01/97
.1805		✓					04/01/97
.2601		✓					04/01/97
.2701		✓		✓			04/01/97
16 NCAC 1A .0001		✓					04/01/97
.0003				✓			04/01/97
7 .0101 - .0103	✓			✓			01/01/98
17 NCAC 1C .0504		✓					04/01/97
.0506		✓					04/01/97
5C .2101		✓		✓			04/01/97
7B .0118		✓					04/01/97
.1602		✓		✓			04/01/97
.1702		✓		✓			04/01/97
.1802		✓		✓			04/01/97
.3103		✓					04/01/97
.3106		✓		✓			04/01/97
.4202		✓					04/01/97
.4501		✓					04/01/97
19A NCAC 2D .0425		✓					04/01/97
.1101	✓						04/30/97
.1102	✓			✓			04/30/97
.1103 - .1105	✓			✓			04/30/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
19A NCAC 2D .1106 - .1107	✓						04/30/97
.1108	✓			✓			04/30/97
.1109 - .1110	✓			✓			04/30/97
.1111	✓			✓			04/30/97
.1112	✓						04/30/97
3E .0501 - .0502		✓		✓			04/30/97
.0510		✓		✓			04/30/97
.0511		✓		✓			04/30/97
.0512 - .0515		✓		✓			04/30/97
.0518		✓		✓			04/30/97
.0519		✓					04/30/97
.0522		✓		✓			04/30/97
6B .0401 - .0411	✓						04/30/97
.0412	✓			✓			04/30/97
.0413 - .0417	✓						04/30/97
21 NCAC 12 .0204		✓					04/01/97
.0503		✓		✓			04/01/97
58A .0101		✓					04/01/97
.0104		✓		✓			07/01/97
.0105		✓					04/01/97
.0109 - .0110		✓					04/01/97
.0503 - .0504		✓					04/01/97
.1601		✓					04/01/97
60 .0204		✓					04/01/97
.0207		✓		✓			04/01/97
.0314		✓		✓			04/01/97
63 .0306		✓		✓			04/01/97
69 .0101	✓						04/01/97
.0102	✓			✓			04/01/97
.0103 - .0104	✓						04/01/97
.0201	✓			✓			04/01/97
.0202	✓						04/01/97

LIST OF RULES CODIFIED

RULE CITATION	AD	AM	RP	WITH CHGS	CORR	TEMP	EFFECTIVE DATE
21 NCAC 69 .0301	✓						04/01/97
.0302 - .0305	✓			✓			04/01/97
.0306	✓			✓			04/01/97
.0307	✓			✓			04/01/97
.0308	✓						04/01/97
.0401 - .0402	✓			✓			04/01/97
.0501	✓			✓			04/01/97
23 NCAC 2D .0325		✓		✓			04/01/97
3A .0113	✓			✓			04/01/97
26 NCAC 2C .0102		✓					04/01/97
.0103		✓		✓			04/01/97
.0111	✓						04/01/97
.0307	✓			✓			04/01/97
.0401		✓		✓			04/01/97
.0502		✓		✓			04/01/97
3 .0301 - .0305	✓						04/01/97

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, May 15, 1997, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, May 12, 1997, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Philip O. Redwine - Chairman
Vernice B. Howard
Teresa L. Smallwood
Charles H. Henry

Appointed by House

Bill Graham - Vice Chairman
James Mallory, III
Paul Powell
Anita White

RULES REVIEW COMMISSION MEETING DATES

June 19, 1997
July 17, 1997
August 21, 1997

September 18, 1997
October 16, 1997
November 20, 1997

MEETING DATE: MAY 15, 1997

LOG OF FILINGS

RULES SUBMITTED: MARCH 20, 1997 THROUGH APRIL 20, 1997

AGENCY/DIVISION	RULE NAME	RULE	ACTION
AGRICULTURE/NC BOARD OF AGRICULTURE/STATE MARKETING AUTHORITY			
	Standards for Receptacles	2 NCAC 43F .0003	Amend
	Definitions	2 NCAC 43H .0001	Amend
	Special Requirements	2 NCAC 43H .0007	Adopt
	Gate Fees	2 NCAC 43L .0202	Amend
	Retail Buildings	2 NCAC 43L .0401	Amend
	Gate Fees	2 NCAC 43L .0402	Amend
	Farmers and Truckers Sheds	2 NCAC 43L .0403	Amend
	Yearly Delivery Permit	2 NCAC 43L .0405	Amend
AGRICULTURE/NC BOARD OF AGRICULTURE			
	Importation Requirements	2 NCAC 52B .0212	Amend
	Calfood Vaccination	2 NCAC 52B .0303	Amend
	Intrastate Requirements	2 NCAC 52C .0701	Adopt
DHR/COMMISSION FOR MH/DD/SAS			
	Staff	10 NCAC 14V .3402	Amend
	Operations	10 NCAC 14V .3803	Amend
	Staff	10 NCAC 14V .5602	Amend
	Placement of Clients	10 NCAC 15A .0128	Repeal
	Resolution of Differences	10 NCAC 15A .0129	Repeal
DHR/DIVISION OF MEDICAL ASSISTANCE			
	Case Management	10 NCAC 26B .0123	Amend

Cost Reporting 10 NCAC 26H .0104 Amend

JUSTICE/STATE BUREAU INVESTIGATION/DIVISION OF CRIMINAL INFORMATION
Advisory Policy Board 12 NCAC 4E .0103 Amend

RULES REVIEW OBJECTIONS**ACUPUNCTURE LICENSING BOARD**

<i>21 NCAC 1 .0706 - Continuances</i>	<i>RRRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>21 NCAC 1 .0707 - Disqualification for Personal Bias</i>	<i>RRRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

ADMINISTRATION**State Construction**

<i>1 NCAC 30G .0102 - Policy</i>	<i>RRRC Objection</i>	<i>03/20/97</i>
<i>No Response from Agency</i>		<i>04/17/97</i>
<i>1 NCAC 30G .0104 - General Procedures</i>	<i>RRRC Objection</i>	<i>03/20/97</i>
<i>No Response from Agency</i>		<i>04/17/97</i>

COMMUNITY COLLEGES

<i>23 NCAC 2C .0304 - Student Loan Funds for Vocational and Technical Education</i>	<i>RRRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>
<i>23 NCAC 2E .0203 - Standards for Technical-Vocational Curriculums</i>	<i>RRRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**Coastal Management**

<i>15A NCAC 7M .0403 - Policy Statements</i>	<i>RRRC Objection</i>	<i>01/16/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>02/20/97</i>

Marine Fisheries

<i>15A NCAC 3O .0101 - License Agents</i>	<i>RRRC Objection</i>	<i>04/17/97</i>
---	-----------------------	-----------------

HUMAN RESOURCES**Child Day Care Commission**

<i>10 NCAC 3U .0707 - In-Service Training Requirements</i>	<i>RRRC Objection</i>	<i>03/20/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>04/17/97</i>

Facility Services

<i>10 NCAC 3R .3030 - Facility and Service Need Determinations</i>	<i>RRRC Objection</i>	<i>10/17/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	<i>11/21/96</i>
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>12/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	<i>02/20/97</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>03/20/97</i>

10 NCAC 3R .3033 - Open Heart Surgery Services Need Determinations (Rev. Cat. H)

	<i>RRRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>
	<i>Obj. Cont'd</i>	<i>03/20/97</i>

10 NCAC 3R .3034 - Heart-Lung Bypass Mch. Need Det./New Open Heart Sgy. Svcs.

	<i>RRRC Objection</i>	<i>01/16/97</i>
	<i>Obj. Cont'd</i>	<i>02/20/97</i>

<i>Rule Returned to Agency</i>			03/20/97
10 NCAC 3R .3035 - Heart-Lung Bypass Mch. Need Det./Existing Open Heart Sgy. Svcs.	<i>RRRC Objection Obj. Cont'd</i>		01/16/97 02/20/97
<i>Rule Returned to Agency</i>			03/20/97
10 NCAC 3R .3036 - Cardiac Catheterization Eqpt Need Det./New Providers	<i>RRRC Objection Obj. Cont'd</i>		01/16/97 02/20/97
<i>Rule Returned to Agency</i>			03/20/97
10 NCAC 3R .3037 - Cardiac Catheterization Eqpt Need Det./Existing Providers	<i>RRRC Objection Obj. Cont'd</i>		01/16/97 02/20/97
<i>Rule Returned to Agency</i>			03/20/97
10 NCAC 3R .3038 - Cardiac Angioplasty Eqpt Need Det./New Providers	<i>RRRC Objection Obj. Cont'd</i>		01/16/97 02/20/97
<i>Rule Returned to Agency</i>			03/20/97
10 NCAC 3R .3039 - Cardiac Angioplasty Eqpt Need Det./Existing Providers	<i>RRRC Objection Obj. Cont'd</i>		01/16/97 02/20/97
<i>Rule Returned to Agency</i>			03/20/97

Medical Assistance

10 NCAC 26B .0113 - Case Mgmt Svcs/Adults/Children/at Risk/Abuse/Neglect/Exploitation			
<i>Returned to Agency for Failure to Comply with APA</i>			04/17/97

Mental Health: Other Programs

10 NCAC 18W .0201 - Scope	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97
10 NCAC 18W .0203 - General Provisions	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97
10 NCAC 18W .0205 - Emotional, Mental or Neurological Handicap Defined	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97
10 NCAC 18W .0211 - Needs Assessment	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97
10 NCAC 18W .0214 - Area Program Requirements	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97
10 NCAC 18W .0215 - Division Requirements	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97
10 NCAC 18W .0218 - Contested Case Hearings	<i>RRRC Objection</i>	01/16/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	02/20/97

INSURANCE

11 NCAC 12 .1702 - Viatical Settlement Providers	<i>RRRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97

DEPARTMENT OF JUSTICE

Criminal Justice Education & Training Standards Commission		
12 NCAC 9B .0102 - Background Investigation	<i>RRRC Objection</i>	04/17/97

BOARD OF NURSING

21 NCAC 36 .0320 - Students	<i>RRRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97

BOARD OF PHARMACY

21 NCAC 46 .1317 - Definitions	<i>RRRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1410 - Personnel	<i>RRRC Objection</i>	03/20/97

<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1411 - Responsibilities of the Pharmacist-Manager	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1412 - Physical Requirements	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1414 - Drug Distribution and Control	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1415 - Medication in Health Care Facility Emergency Departments	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1416 - Repackaging	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1604 - Transfer of Permits Allowed	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .1703 - Drugs to Be Dispensed	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97
21 NCAC 46 .2611 - Medical Equipment	<i>RRC Objection</i>	03/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	04/17/97

TRANSPORTATION

Division of Motor Vehicles

19A NCAC 3J .0306 - Course of Instruction	<i>RRC Objection</i>	02/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	03/20/97
19A NCAC 3J .0307 - Student Requirements	<i>RRC Objection</i>	02/20/97
<i>Rule Returned to Agency</i>		03/20/97
19A NCAC 3J .0308 - Reports to be Submitted	<i>RRC Objection</i>	02/20/97
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	03/20/97

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Brenda B. Becton
Sammie Chess Jr.
Beecher R. Gray
Meg Scott Phipps

Robert Roosevelt Reilly Jr.
Dolores O. Smith
Thomas R. West

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
Douglas J. Register v. Department of Administration	96 DOA 0172	Reilly	08/16/96	
<i>Purchase and Contract</i>				
Budd Seed, Inc. v. Department of Administration	96 DOA 0281	Chess	09/19/96	
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Osama Arafat Sadar v. Alcoholic Beverage Control Commission	95 ABC 0721	Gray	07/09/96	
Alcoholic Beverage Control Commission v. James Eads Sprowles	95 ABC 0883*	Gray	07/10/96	
Cole Entertainment, Inc. v. Alcoholic Beverage Control Commission	95 ABC 0917	West	08/21/96	
Fuad Saif Mursheed v. Alc. Bev. Ctl. Comm. & Durham Mem. Bapt. Ch.	95 ABC 0922	Chess	04/24/96	
Alcoholic Beverage Control Commission v. Tremik, Inc.	95 ABC 0925	Morrison	03/25/96	
City of Raleigh v. Alcoholic Beverage Control Commission and	95 ABC 1143	Morrison	11/08/96	11:17 NCR 1362
Marshall Stewart, III, Robert David Park, and Park Stewart Inc.				
Alcoholic Beverage Control Commission v. Maria Virginia Tramontano	95 ABC 1200	West	04/23/96	
Alcoholic Beverage Control Commission v. Huffman Oil Co., Inc.	95 ABC 1251	West	04/03/96	11:03 NCR 166
Pinakin P. Talate v. Alcoholic Beverage Control Commission	95 ABC 1329	West	04/10/96	
Alcoholic Beverage Control Commission v. Entrepreneur, Inc.	95 ABC 1363	Reilly	05/02/96	
Alcoholic Beverage Control Commission v. Zell, Inc.	95 ABC 1366	West	06/17/96	
Alcoholic Beverage Control Commission v. Henry Franklin Gurganus	95 ABC 1389	West	04/01/96	
Andrew Parker v. Alcoholic Beverage Control Commission	95 ABC 1402	Phipps	03/27/96	
Barraq Sabri Alqua v. Alcoholic Beverage Control Commission	95 ABC 1424	Phipps	04/03/96	
Alcoholic Beverage Comm. v. Partnership T/A T & L Groceries	95 ABC 1443	West	03/26/96	
Alcoholic Beverage Control Commission v. Cashion's Food Mart, Inc.	95 ABC 1444	Gray	03/13/96	
Alcoholic Beverage Control Commission v. E.K.'s II, Inc. Carl E. Collins	95 ABC 1458	Chess	08/12/96	
Bro Bee, Inc. v. Alcoholic Beverage Control Commission	95 ABC 1480	West	04/15/96	
Alcoholic Beverage Control Commission v. Donald Ray Doak	95 ABC 1488	West	03/29/96	
Alcoholic Beverage Control Commission v. Janice Lorraine Jeter	96 ABC 0013	Reilly	04/26/96	
Alcoholic Beverage Control Commission v. Well Informed, Inc.	96 ABC 0016	Chess	05/28/96	
Alcoholic Beverage Control Commission v. Kubbard, Inc.	96 ABC 0017	Reilly	05/20/96	
Alcoholic Beverage Control Commission v. Stemmermans's, Inc.	96 ABC 0018	Chess	05/28/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
George Wright and Alice Ramsuer v. Alcoholic Beverage Control Comm.	96 ABC 0058	Becton	04/16/96	
Alcoholic Beverage Control Commission v. Bayron Green	96 ABC 0097	Becton	08/23/96	
Alcoholic Beverage Control Commission v. Circle K Stores, Inc.	96 ABC 0134	Gray	11/06/96	
Alcoholic Beverage Control Commission v. Robert Montgomery McKnight	96 ABC 0135	Phipps	05/09/96	
Alcoholic Beverage Control Commission v. Cadillacs Discotheque, Inc.	96 ABC 0136	Phipps	12/04/96	
Gerald Audry Sellars v. Alcoholic Beverage Control Commission	96 ABC 0160	Becton	06/25/96	11:08 NCR 564
Alcoholic Beverage Control Commission v. Jacqueline Robin Anthony	96 ABC 0184	Phipps	05/09/96	
Alcoholic Beverage Control Commission v. Factory Night Club, Inc.	96 ABC 0226	Phipps	08/02/96	
Alcoholic Beverage Control Commission v. C.N.H. Enterprises, Inc.	96 ABC 0232	Becton	07/09/96	
Alcoholic Beverage Control Commission v. Millicent J. Green	96 ABC 0234	Smith	06/13/96	
Ghassan Hasan Issa v. Alcoholic Beverage Control Commission	96 ABC 0256	Morrison	05/23/96	
Alcoholic Beverage Control Commission v. Abdelhakeem Muraweh Saleh	96 ABC 0381	Chess	08/27/96	
Alcoholic Beverage Control Commission v. Triangle Drive-In	96 ABC 0443	Reilly	06/11/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0447	Morrison	08/30/96	11:13 NCR 1085
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0448	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0449	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0450	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Giles Rozier	96 ABC 0473	Morrison	09/19/96	
Alcoholic Beverage Control Commission v. Clifton Franklin Smith	96 ABC 0474	Reilly	08/12/96	
Alcoholic Beverage Control Comm. v. Crown Central Petroleum Corp.	96 ABC 0482	Morrison	10/18/96	
Dilithra Smith Patton v. Alcoholic Beverage Control Commission	96 ABC 0505	Morrison	08/06/96	
Virginia Caporal v. Alcoholic Beverage Control Commission	96 ABC 0507	Becton	10/04/96	
Alcoholic Beverage Control Commission v. James Eads Sprawles	96 ABC 0526*	Gray	07/10/96	
Alcoholic Beverage Control Commission v. Chae Ypo Chong	96 ABC 0530	Morrison	10/29/96	
Alcoholic Beverage Control Commission v. Albert S. Carter	96 ABC 0534	Morrison	08/05/96	
Alcoholic Beverage Control Commission v. Taleb Abed Rahman	96 ABC 0551	West	11/14/96	
Alcoholic Beverage Control Comm. v. Centergrove Entertainment Ent.	96 ABC 0583	Reilly	08/12/96	
Michael L. Harris D/B/A Big House Inc. v. Alcoholic Beverage Control	96 ABC 0680	Phipps	02/12/97	
Joseph Marcel Etienne v. Alcoholic Beverage Control Commission	96 ABC 0718	Phipps	10/17/96	
Alcoholic Beverage Control Commission v. Jesse Smith	96 ABC 0804	Gray	11/19/96	
Alcoholic Beverage Control Commission v. Winn Dixie Charlotte, Inc.	96 ABC 0858	Morrison	11/21/96	
Alcoholic Beverage Control Commission v. Winn Dixie Charlotte, Inc.	96 ABC 0859	Morrison	11/21/96	
Louis Corpening v. Alcoholic Beverage Control Commission	96 ABC 0985	Gray	09/26/96	
Alcoholic Beverage Control Commission v. Joyce N. Capra	96 ABC 1060	Reilly	11/15/96	
HARB Inc. v. Alcoholic Beverage Control Commission	96 ABC 1124	Phipps	10/23/96	
Alcoholic Beverage Control Commission v. Mutaz Mohammed	96 ABC 1181	Chess	02/13/97	11:23 NCR 1801
Alcoholic Beverage Control Commission v. Warner Enterprises, Inc.	96 ABC 1315	Gray	01/30/97	
Alcoholic Beverage Control Commission v. James Ramsey, Jr.	96 ABC 1317	Gray	02/03/97	
Alcoholic Beverage Control Commission v. Russell Bernard Speller	96 ABC 1394	Smith	12/20/96	
Alcoholic Beverage Control Commission v. Anthony Ralph Cecchini, Jr.	96 ABC 1420	Becton	02/28/97	
Alcoholic Beverage Control Comm. v. Ptnrshp., T/A Blue Front Groc.	96 ABC 1469	Smith	12/09/96	
Alcoholic Beverage Control Comm. v. Crown Central Petroleum Corp.	96 ABC 1584	Gray	02/12/97	
Alcoholic Beverage Control Commission v. Anthony Jerome Foster	96 ABC 1587	Reilly	01/29/97	
Alcoholic Beverage Control Comm. v. Park Entertainment, Inc.	96 ABC 1928	Smith	02/06/97	
Lomax Brooks v. Alcoholic Beverage Control Commission	96 ABC 1930	Gray	03/21/97	
Alcoholic Beverage Control Comm. v. Larry's Famous Bar, Inc.	96 ABC 2095	Phipps	04/21/97	11:28 NCR 2165

COMMISSION FOR AUCTIONEERS

John W. Foster v. Auctioneer Licensing Board	96 CFA 0201	Phipps	05/06/96
Barry G. York v. Auctioneer Licensing Board	96 CFA 0297	Smith	10/18/96

DEPARTMENT OF COMMUNITY COLLEGES

James E. Price, Sr. v. Central Carolina Community College, DCC	97 DCC 2035	Morrison	04/15/97
--	-------------	----------	----------

DEPARTMENT OF CORRECTION

James J. Lewis v. Department of Correction	96 DOC 0772	West	09/05/96
AMERIMARK, Inc. v. Department of Correction	97 DOC 0040	Morrison	04/17/97
Joseph Phillip Smith v. Department of Correction	97 DOC 0109	Morrison	04/15/97
Maurice Crovell v. Department of Correction	97 DOC 0185	Phipps	04/22/97

CRIME CONTROL AND PUBLIC SAFETY

Roland Lee Kelly, Jr. v. United Family Services, Victim Assistance/Crime Victims Compensation Comm.	95 CPS 0568	Morrison	05/29/96
Robert F. Bronson v. Crime Victims Compensation Commission	95 CPS 1216	Chess	05/28/96
Helen B. Hunter-Reid v. Crime Victims Compensation Commission	95 CPS 1336	Smith	03/29/96
Deborah C. Passarelli v. Crime Victims Compensation Commission	95 CPS 1399	Reilly	07/18/96
Kenneth Saunders v. Victims Compensation Commission	95 CPS 1445	Chess	03/26/96
Franklin McCoy Jones v. Crime Victims Compensation Commission	96 CPS 0056	Smith	07/03/96
Ruby H. Ford v. Crime Victims Compensation Commission	96 CPS 0110	Reilly	04/18/96

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Manuel Cervantes v. Victims Compensation Fund	96 CPS 0118	Chess	03/19/96	
Sheila Carol Blake v. Victims Compensation Commission	96 CPS 0280	West	07/10/96	
James T. Mungo v. Victims Compensation Commission	96 CPS 0333	Reilly	07/09/96	
Jerome Crutchfield v. CPS, Victims Compensation Commission	96 CPS 0340	Phipps	09/05/96	
William Theodore Frazier v. Crime Victims Compensation Commission	96 CPS 0435	Chess	08/22/96	
Emma Coble v. Crime Victims Compensation Commission	96 CPS 0468	Chess	09/25/96	
Donna Williams v. Crime Victims Compensation Commission	96 CPS 0493	Morrison	06/13/96	
Daisy Reid v. Crime Victims Compensation Commission	96 CPS 0499	West	11/18/96	
Earlie McLaurin, Jr., Delano McLaurin, Sr v. Crime Victims Comp Comm	96 CPS 0639	West	01/21/97	
Anthony P. Dawkins v. Crime Victims Compensation Commission	96 CPS 0716	Reilly	08/16/96	
Judy Worley Milam v. Crime Victims Compensation Commission	96 CPS 0717	Gray	11/21/96	
James A. Cherry v. Crime Control & Public Safety	96 CPS 0793	Phipps	01/17/97	
Shirley M. King v. Crime Victims Compensation	96 CPS 0802	West	08/08/96	
Mark Matthews for Child Victim v. Crime Victims Compensation Comm.	96 CPS 0832	Becton	08/20/96	
Clara Durham v. Victims Compensation	96 CPS 0906	Phipps	09/23/96	
George Battle, Jr. v. Crime Control & Public Safety	96 CPS 1006	Phipps	01/17/97	
Larry McLeod v. Crime Victims Compensation Commission	96 CPS 1073	Smith	03/14/97	
Shawn P. Saddler v. Victims Compensation Commission	96 CPS 1109	Morrison	01/02/97	
Ricky Cleveland v. Crime Victims Compensation Commission	96 CPS 1174	Chess	03/06/97	
Melvin Lewis Huntley v. Victims Compensation Commission	96 CPS 1211	Gray	04/16/97	11:28 NCR 2169
David Carl Anderson v. Crime Victims Compensation Commission	96 CPS 1409	Smith	11/25/96	
Ronald Richardson v. Crime Victims Compensation Commission	96 CPS 1729	Becton	04/16/97	
Douglas Alan West v. Crime Victims Compensation Commission	96 CPS 1888	West	01/03/97	
Sandra Ray Weden v. Victim's Compensation Commission	97 CPS 0072	Phipps	03/11/97	
Alton R. Simmons v. Crime Victims Compensation Commission	97 CPS 0091	Becton	04/17/97	

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Gribble & Assoc. & Four Seasons Car Wash v. EHNR	95 EHR 0576	Gray	04/25/96	
Webster Environmental Inc. v. EHNR, Asbestos Hazard Mgmt. Branch	95 EHR 0647	Becton	01/24/97	
Wilton Evans v. Environment, Health, & Natural Resources	95 EHR 0843	Reilly	07/17/96	
David Martin Shelton v. Rockingham County Dept/Public Health, EHNR	95 EHR 0941	West	05/01/96	
Kinston Urological Associates, P.A. v. N.C. Cancer Program	95 EHR 1198* ²	Smith	03/27/96	11:02 NCR 97
Kinston Urological Associates, P.A. v. N.C. Cancer Program	95 EHR 1199* ²	Smith	03/27/96	11:02 NCR 97
Elsie & Tony Cecchini v. Environment, Health, & Natural Resources	95 EHR 1240	Reilly	04/22/96	
United Organics Corporation v. Environment, Health, & Natural Res.	96 EHR 0064	Smith	07/01/96	
Gerald Mac Clamrock v. Environment, Health, & Natural Resources	96 EHR 0168	Phipps	05/06/96	
Phillip T. Goetz v. Carteret County Health Center	96 EHR 0596	Smith	01/23/97	
John Milazzo v. Environment, Health, & Natural Resources	96 EHR 0644	Reilly	08/13/96	
Daniel Bordeaux, Coast Wastewater Op. v. Env., Health, & Nat. Resources	96 EHR 0751	Gray	04/21/97	
Wayne Marshall, Pres. Metro Area Dev., Inc. v. EHNR	96 EHR 0826	West	10/01/96	
Joel B. Patterson v. Environment, Health, & Natural Resources	96 EHR 0846	Reilly	04/22/97	11:28 NCR 2175
David J. Mohn v. Environment, Health, & Natural Resources	96 EHR 0947	Smith	10/04/96	
Robert D. Smith v. Brunswick County Health Dept., Bolivia, NC	96 EHR 1057	Chess	02/04/97	
Frederick Albritton and wife Peggy S. Albritton v. EHNR	96 EHR 1126	Reilly	04/02/97	11:27 NCR 2097
Elizabeth Shepard Covin v. Environment, Health, & Natural Resources	96 EHR 1258	Becton	01/14/97	
The Papco Group, Inc. v. Forsyth County Environmental Affairs Dept	96 EHR 1293	Chess	02/17/97	
Reuben Massey v. Environment, Health, and Natural Resources	96 EHR 1301	Reilly	12/18/96	
Joseph London v. Environment, Health, and Natural Resources	96 EHR 1397	Reilly	12/10/96	
Gregory S. and Kimberly C. Maloney v. Environment, Health, & Nat. Res.	97 EHR 0171	Chess	04/02/97	

Coastal Resources

Martin W. Synger v. Division of Coastal Management	95 EHR 1006	Chess	05/13/96	
J. E. Smith Construction Co. v. Division of Coastal Management	96 EHR 0074	Smith	02/23/96	
Theodore D. Barris v. Town of Long Beach, NC & Coastal Mgmt, EHNR	96 EHR 0277	West	05/09/96	
Town of Sunset Beach v. EHNR, Division of Coastal Management	96 EHR 1112	Becton	03/26/97	11:26 NCR 2045

Environmental Health

Forest Gate Motel v. Environment, Health, and Natural Resources	96 EHR 0076	West	06/17/96	
Paradise Ridge Home Owners by Anne Norburn v. EHNR, Env. Health	96 EHR 0162	Phipps	05/06/96	
Zack Diakogiannis v. EHNR, Division of Environmental Health	96 EHR 0768	Gray	01/08/97	

Environmental Management

Frank A. Corriher & Sons Well Drilling, Inc. v. Env. Mgmt., EHNR	95 EHR 0048	Phipps	09/20/96	11:14 NCR 1191
North Buncombe Assoc of Concerned Citizens v. Env. Mgmt. EHNR	95 EHR 0108	Chess	02/03/97	11:24 NCR 1866
Ford Motor Company v. EHNR, Division of Environmental Management	95 EHR 0588	Smith	12/20/96	
Herman E. Smith v. Division of Environmental Management	95 EHR 0962	West	04/30/96	
Lake Summit Property Owners Assoc. v. EHNR, Environmental Mgmt.	95 EHR 1022	Reilly	12/30/96	
Conover Lumber Co., Inc. v. EHNR, Division of Environmental Mgmt.	95 EHR 1081	Reilly	04/12/96	
City of Reidsville, a Municipal Corp. v. EHNR, Environmental Mgmt.	95 EHR 1335	Gray	10/01/96	11:15 NCR 1249

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Jack West d/b/a Jack West Tree Service v. Environmental Mgmt. Comm. The Smithfield Packing Co., Inc., v. EHNR, Environmental Mgmt. and Citizens for Clean Industry, Inc. and Bladen Environment	95 EHR 1421 95 EHR 1474	Morrison West	04/08/96 07/03/96	
Commscope, Inc. v. EHNR, Division of Environmental Management	96 EHR 0078	Gray	12/23/96	
Stephen L. Reedy v. EHNR, Division of Environmental Management	96 EHR 0181	Gray	12/16/96	
Rayco Utilities, Inc. v. EHNR, Division of Environmental Management	96 EHR 0367	Becton	10/04/96	
Clover M Farms, Inc. v. EHNR, Division of Environmental Management	96 EHR 0405	Becton	06/10/96	
Providence Glen Associates v. Environmental Management, EHNR	96 EHR 0648	Becton	08/12/96	
R.H. Mohesky and Clover M Farms, Inc. v. EHNR, Environmental Mgmt.	96 EHR 0649	Morrison	04/28/97	11:28 NCR 2171
Overcash Gravel & Grading Co., Inc. v. Division of Environmental Mgmt	96 EHR 0990	West	10/29/96	
Land Resources				
K&G Properties, Inc. v. EHNR, Division of Land Resources	95 EHR 1078	Smith	03/25/96	
Marine Fisheries				
Robert I. Swinson, Sr. v. EHNR, Health & Nat. Res., Marine Fisheries	95 EHR 0320	Chess	03/29/96	11:03 NCR 168
Grayden L. Fulcher and Michael Styron, Sr. v. Div. of Marine Fisheries	96 EHR 0003	Reilly	03/06/96	
Johnny R. Stotesberry v. Marine Fisheries Commission	96 EHR 0072	Gray	08/19/96	11:11 NCR 955
Julian G. Gilgo v. Environment, Health, and Natural Resources	96 EHR 0692	West	12/06/96	11:19 NCR 1530
Radiation Protection				
Marsha L. Powell v. EHNR, Division of Radiation Protection	96 EHR 1116	Smith	10/10/96	
Nancy S. Webb v. EHNR, Division of Radiation Protection	96 EHR 1131	Gray	10/23/96	
Olivia Joyce Foushee v. EHNR, Division of Radiation Protection	96 EHR 1221	Chess	01/31/97	
Waste Management				
R. Donald Phillips v. EHNR, Solid Waste Management Division	95 EHR 1190* ⁴	Gray	05/22/96	
R. Donald Phillips v. EHNR, Solid Waste Management Division	96 EHR 0554* ⁴	Gray	05/22/96	
GRACE and Margaret L. Caudle-Beck v. EHNR, Solid Waste Management	96 EHR 1125	Phipps	12/06/96	
GRACE and Margaret L. Caudle-Beck v. EHNR, Solid Waste Management	96 EHR 1125	Phipps	02/18/97	
Herman Regmi v. EHNR, Division of Solid Waste Management	96 EHR 1711	Chess	03/19/97	
Water Quality				
Ben Moses v. EHNR, Division of Water Quality	96 EHR 1085	Phipps	01/21/97	
WIC Program				
Lazelle Marks v. EHNR, Division of Maternal and Child Health	95 EHR 0870	West	03/27/96	
Hani Sader v. Nutrition Services, Div/Maternal & Child Health, EHNR	96 EHR 0054	West	05/22/96	
Bob's Quick Mart, Bobby D. Braswell v. Env., Health, & Natural Res.	96 EHR 0091	Smith	04/02/96	
Larry E. Mis v. USDA-Food/Cons Svc, Cory Menees-WIC Prog., EHNR	96 EHR 0164	Phipps	03/19/96	
Naser H. Hammad v. Dept. of Environment, Health, & Natural Resources	96 EHR 0632	Reilly	07/09/96	
Jamil M. Saleh v. Dept. of Environment, Health, & Natural Resources	96 EHR 0634	Phipps	09/04/96	
Khaled M. Alzer v. Dept. of Environment, Health, & Natural Resources	96 EHR 0721	Reilly	07/30/96	
LMT Enterprises, Inc. v. EHNR, Maternal & Child Health, Nutrition Svcs.	96 EHR 1118	Chess	03/20/97	
EQUAL EMPLOYMENT OPPORTUNITIES				
Marsha Dianne McKoy v. DHR, DMH/DD/SAS, Caswell Center	90 EEO 0379	Chess	10/08/96	
Carl D. Davis v. Department of Correction	91 EEO 1101	Smith	05/06/96	
HUMAN RESOURCES				
Cassandra M. Deshazo v. Christine E. Carroll, Chf Chld Abuse/Neg. Sec.	95 DHR 1410	Phipps	03/28/96	
Medicus Robinson v. Department of Human Resources	96 DHR 0167	Smith	04/12/96	
Britthaven, Inc. v. DHR, Div/Facility Services, Certification Section	96 DHR 0186	Reilly	03/06/97	
Mr. & Mrs. Ronald Harris v. Department of Human Resources	96 DHR 0864	Gray	03/14/97	
Chris and Wendy Cook v. Department of Human Resources	96 DHR 1543	Reilly	04/11/97	
Linda Gabriel Wallace v. Charlotte Health Care Center	96 DHR 1544	Phipps	01/23/97	
Gerald F. Clemons, Deborah B. Clemons v. Dept. of Human Resources	96 DHR 1701	Smith	04/07/97	
Shawn C. Battle, Sherry A. Battle v. Department of Human Resources	96 DHR 1703	Chess	03/18/97	
Irma H. Pender v. Department of Human Resources	96 DHR 2603	Chess	04/28/97	
Division of Child Development				
Molly Fallin v. Department of Human Resources	94 DHR 0872* ³	Gray	05/15/96	
Molly Fallin v. Department of Human Resources	95 DHR 1013* ³	Gray	05/15/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Mary T. Hill v. DHR, Division of Child Development	95 DHR 1192	Phipps	03/27/96	
Iola Roberson v. DHR, Division of Child Development	95 DHR 1244	Gray	05/16/96	
Zannie M. Allen v. DHR, Division of Child Development	96 DHR 0304	Gray	08/15/96	
Mt. Pleasant Church v. DHR, Division of Child Development	96 DHR 0720	Gray	11/19/96	
Rolling Oaks Day Care Home Patricia M. Lapier v. DHR, Div/Child Dev.	96 DHR 1108	Gray	04/17/97	
Yvette Nivens v. DHR, Division of Child Development	96 DHR 1161	Morrison	11/19/96	
Sarah M. Carr, CSWM v. DHR, Division of Child Development	96 DHR 2089	Smith	02/11/97	
Anita Hamilton, VL's Day Care Center v. DHR, Div of Child Development	97 DHR 0033	Gray	03/18/97	

Division of Facility Services

Eloise Brown v. Dept. of Human Resources, Division of Facility Services	95 DHR 1002	Phipps	03/07/96	
Harry Martin Bastian v. DHR, Division of Facility Services	96 DHR 0287	West	08/21/96	
Kelly Thomas v. DHR, Division of Facility Services	96 DHR 0670	Bection	01/29/97	11:23 NCR 1803
Community Care #2 v. DHR, Division of Facility Services	96 DHR 0934	Bection	10/16/96	
Community Care #4 v. DHR, Division of Facility Services	96 DHR 0935	Bection	10/16/96	
Billie Mitchell v. Department of Human Resources (DFS)	96 DHR 0975	Phipps	01/02/97	
Jo Ann Boyd Capps v. DHR, Division of Facility Services	96 DHR 1115	Gray	12/12/96	
Peggy Murray v. DHR, Division of Facility Services	96 DHR 1531	Smith	01/31/97	
Harold R. Jackson v. DHR, Division of Facility Services	96 DHR 1834	Chess	04/10/97	
Richard Joseph Bisciaio v. DHR, (Nurse Aide Registry) Div./Facility Svcs.	96 DHR 1971	West	02/24/97	
Gloria J. Butler v. DHR, Division of Facility Services	96 DHR 2113	West	01/31/97	
Felicia Burgh Lloyd v. Nurse Aide Registry and Healthcare Registry	97 DHR 0210	Phipps	04/24/97	

Certificate of Need Section

Nash Hospitals, Inc. v. DHR, Div/Facility Services, Cert. of Need Sect.	95 DHR 1176*	Phipps	05/23/96	11:06 NCR 389
Pitt Cty Mem. Hospital, Inc. v. DHR, Div/Facility Svcs, Cert/Need Sect.	95 DHR 1177**	Phipps	05/23/96	11:06 NCR 389
Tar Heel Home Health, Inc. v. DHR, Div/Facility Svcs, Cert/Need Sect.	96 DHR 0513	Morrison	01/22/97	11:22 NCR 1761

Group Care Licensure Section

Alex L. McCall v. DHR, Div/Facility Svcs, Group Care Licensure Sec.	95 DHR 1456	Smith	03/26/96	
DHR, Facility Services, Group Care Licensure Sect. v. Petrova Evans	96 DHR 0544	Phipps	08/21/96	
Leola Barnes, Shaw Family Care v. DHR, Fac. Svcs, Group Care Lic.	96 DHR 0626	West	10/01/96	
Gracelane Rest Home v. Group Care Lic. Section, Div. of Soc. Svcs.	96 DHR 0944	Bection	10/16/96	

Medical Facilities Licensure Section

Britthaven, Inc. v. DHR, Div/Facility Svcs, Medical Facilities Lic Sec.	95 DHR 1412	Reilly	03/06/97	
Deborah Reddick v. Department of Human Resources	96 DHR 0240	Reilly	06/18/96	
Stacey Yvette Franklin v. Facility Services, Medical Facilities Lic. Sec.	96 DHR 0358	Morrison	05/16/96	

Division of Medical Assistance

Judy Malcuit, Re Melissa Malcuit v. DHR, Div. of Medical Assistance	96 DHR 0129	Gray	06/12/96	
Durham Reg. Hsptl, Behavioral Hlth Svcs. v. Medical Assistance, DHR	96 DHR 0637	West	09/20/96	
Jerry Heath v. DHR, Division of Medical Assistance	96 DHR 0752	Chess	10/07/96	
Charlotte-Mecklenburg Hospital Authority v. DHR, Div. of Medical Assist.	96 DHR 1534	Gray	04/08/97	

Division of Social Services

Crystean Fields v. Department of Human Resources	95 DHR 1001	Gray	07/05/96	
Rozena Chambliss v. Department of Human Resources	95 DHR 1044	Smith	03/12/96	
Addie & Major Short v. Department of Human Resources	95 DHR 1063	Morrison	03/19/96	
Mr. and Mrs. Jessie Stevenson v. DHR, Division of Social Services	95 DHR 1072	Phipps	03/15/96	
William G. Fisher v. DHR, Div. of Social Services, Prog Integrity Branch	95 DHR 1234	Morrison	03/19/96	
Verna F. Nunn v. Department of Human Resources	95 DHR 1330	Gray	04/11/96	
Nancy Hooker, Helen Tyndall v. Department of Human Resources	96 DHR 0155	Gray	04/26/96	
Monica Ferrari and Justin Ferrari v. Pender County DSS	96 DHR 1425	Morrison	12/13/96	
Monica Ferrari and Justin Ferrari v. New Hanover County DSS	96 DHR 1471	Morrison	12/13/96	

Child Support Enforcement Section

Donald E. Rideout Jr. v. Department of Human Resources	95 CSE 0952	Reilly	04/18/96	
Christopher F. Roakes v. Department of Human Resources	95 CSE 1131	Bection	05/03/96	
Claude Eure Jr. v. Department of Human Resources	95 CSE 1155	Phipps	06/12/96	
Richard R. Fox, Sr. v. Department of Human Resources	95 CSE 1169	Bection	03/19/96	
Joselito D. Pilar v. Department of Human Resources	95 CSE 1180	Chess	03/01/96	
David Lee Grady v. Department of Human Resources	95 CSE 1218	Morrison	03/26/96	
Patrick Orlando Crump v. Department of Human Resources	95 CSE 1221	Smith	03/05/96	
Peter Robert Kovolsky v. Department of Human Resources	95 CSE 1230	Bection	03/11/96	
Tony Lee Zapata v. Department of Human Resources	95 CSE 1266	Gray	05/02/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Lawrence Dow Dean v. Department of Human Resources	95 CSE 1267	Morrison	03/29/96	
Carl E. Coffey v. Department of Human Resources	95 CSE 1270	Smith	03/15/96	
Keith Dewayne Sinters v. Department of Human Resources	95 CSE 1273	Phipps	04/01/96	
Lonnie Dawes v. Department of Human Resources	95 CSE 1274	Smith	06/12/96	
Mickey Turner v. Department of Human Resources	95 CSE 1278	Smith	03/14/96	
James Joseph Gallagher v. Department of Human Resources	95 CSE 1280	Chess	03/19/96	
James Thomas McRae v. Department of Human Resources	95 CSE 1296	Chess	03/15/96	
Vincent E. Koehler v. Department of Human Resources	95 CSE 1301	Phipps	05/09/96	
David J. Moseley v. Department of Human Resources	95 CSE 1304	Chess	03/29/96	
Derrick L. Conyers v. Department of Human Resources	95 CSE 1308	Reilly	03/13/96	
Charles Edward Smith v. Department of Human Resources	95 CSE 1309	West	03/07/96	
Kevin Vereen v. Department of Human Resources	95 CSE 1315	Phipps	05/06/96	
James Curtis Witwer v. Department of Human Resources	95 CSE 1331	Becton	03/26/96	
Thornell Bowden v. Department of Human Resources	95 CSE 1345	Morrison	03/07/96	
Herbert W. Donahue Jr. v. Department of Human Resources	95 CSE 1346	Reilly	11/15/96	
Henry S. Sada v. Department of Human Resources	95 CSE 1367	Smith	03/21/96	
Charles F. Moore v. Department of Human Resources	95 CSE 1369	Chess	03/27/96	
Daniel Leslie Baker v. Department of Human Resources	95 CSE 1373	Morrison	03/12/96	
Kenneth L. Lindsey v. Department of Human Resources	95 CSE 1375	West	06/24/96	
John L. Pike v. Department of Human Resources	95 CSE 1376	Smith	03/21/96	
Wm. R. Evans v. Department of Human Resources	95 CSE 1377	Becton	03/11/96	
Rory J. Curry v. Department of Human Resources	95 CSE 1380	Mann	03/15/96	
Lorin A. Brown v. Department of Human Resources	95 CSE 1382	Reilly	04/18/96	
Marcus Anthony Butts v. Department of Human Resources	95 CSE 1405	Smith	03/27/96	
Cynthia Pinder v. Department of Human Resources	95 CSE 1406	Becton	03/11/96	
Rhonnie J. Williams v. Department of Human Resources	95 CSE 1407	Chess	05/06/96	
Ramon Domenech v. Department of Human Resources	95 CSE 1408	Phipps	03/11/96	
Lennard J. Watson v. Department of Human Resources	95 CSE 1414	Mann	08/23/96	
Timothy R. Brewer, Sr. v. Department of Human Resources	95 CSE 1433	West	12/10/96	
Dennis L. McNeill v. Department of Human Resources	95 CSE 1435	Becton	03/13/96	
Tony A. Rogers v. Department of Human Resources	95 CSE 1436	Chess	05/16/96	
Rick E. Atkins v. Department of Human Resources	95 CSE 1437	Phipps	04/01/96	
Willis Herron v. Department of Human Resources	95 CSE 1447	Gray	03/18/97	
Timothy A. Ratley (Jeanes) v. Department of Human Resources	95 CSE 1465	Morrison	03/26/96	
Richard E. Reader v. Department of Human Resources	95 CSE 1469	Smith	04/29/96	
Wendel McDonald v. Department of Human Resources	95 CSE 1470	Becton	07/29/96	
Wilbur Dewayne Bault v. Department of Human Resources	95 CSE 1475	West	03/13/96	
Reginald B. Bratton Sr. v. Department of Human Resources	96 CSE 0002	Mann	08/23/96	
James C. Smith v. Department of Human Resources	96 CSE 0034	Gray	05/10/96	
Ronald D. Johnson v. Department of Human Resources	96 CSE 0084	Smith	03/27/96	
Johnny Leary v. Department of Human Resources	96 CSE 0085	Becton	05/03/96	
Jimmy Strickland v. Department of Human Resources	96 CSE 0119	Chess	07/08/96	
John W. Scott v. Department of Human Resources	96 CSE 0130	Mann	03/15/96	
Calvin S. Austin v. Department of Human Resources	96 CSE 0140	Phipps	05/17/96	
Derek Henslee v. Department of Human Resources	96 CSE 0188	Reilly	05/17/96	
Donald L. Carr, Jr. v. Department of Human Resources	96 CSE 0200	West	05/30/96	
Norman Waycaster v. Department of Human Resources	96 CSE 0245	Becton	05/16/96	
Andre Duncan v. Department of Human Resources	96 CSE 0249	Chess	09/25/96	
Lorenzo Wilson v. Department of Human Resources	96 CSE 0257	Phipps	05/06/96	
Mark Kevin Burns v. Department of Human Resources	96 CSE 0271	Morrison	06/24/96	
Cyril Lloyd Payne v. Department of Human Resources	96 CSE 0272	Reilly	05/31/96	
Charles H. Johnson v. Department of Human Resources	96 CSE 0295	West	07/15/96	
Willie James Myers v. Department of Human Resources	96 CSE 0299	Becton	07/19/96	
Christopher F. Byrne v. Department of Human Resources	96 CSE 0336	Chess	06/26/96	
Richard Painall Burch v. Department of Human Resources	96 CSE 0339	Phipps	06/27/96	
Charles Gillispie v. Department of Human Resources	96 CSE 0365	Mann	07/23/96	
Teresa Reynolds v. Department of Human Resources	96 CSE 0369	Gray	07/23/96	
Thornell Bowden v. Department of Human Resources	96 CSE 0370	Morrison	05/17/96	
Kenneth Edward Burns v. Department of Human Resources	96 CSE 0379	Reilly	07/18/96	
Carl R. Ritter v. Department of Human Resources	96 CSE 0380	West	05/08/96	
William Charles Rorie v. Department of Human Resources	96 CSE 0388	Smith	08/01/96	
Leon Gibson v. Department of Human Resources	96 CSE 0389	Becton	07/02/96	
Dioni Delvalle, II v. Department of Human Resources	96 CSE 0407	Chess	07/17/96	
Gerald Roger Beachum Jr. v. Department of Human Resources	96 CSE 0411	Phipps	06/24/96	
Anderson I. Wardlow v. Department of Human Resources	96 CSE 0412	Mann	08/05/96	
Daniel J. Carter v. Department of Human Resources	96 CSE 0417	Gray	06/24/96	
Kelvin Tarlton v. Department of Human Resources	96 CSE 0424	Morrison	05/29/96	
Steven Craig Mooney v. Department of Human Resources	96 CSE 0425	Reilly	07/08/96	
John L. Cherry Jr. v. Department of Human Resources	96 CSE 0426	West	06/24/96	
Arthur Jemerson v. Department of Human Resources	96 CSE 0427	Smith	08/01/96	
Michael S. Covington v. Department of Human Resources	96 CSE 0428	Becton	08/02/96	
Gary Steele v. Department of Human Resources	96 CSE 0429	Chess	08/26/96	
Terry Sealey v. Department of Human Resources	96 CSE 0430	Phipps	05/29/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Jackie L. Kopczick v. Department of Human Resources	96 CSE 0431	Mann	06/05/96	
Virginia McDowell Ramsey v. Department of Human Resources	96 CSE 0464	Gray	08/02/96	
D. Wayne Gray v. Department of Human Resources	96 CSE 0465	Morrison	08/02/96	
Claude R. Anderson v. Department of Human Resources	96 CSE 0502	Reilly	07/22/96	
Alan Kendell Locklear v. Department of Human Resources	96 CSE 0503	West	05/30/96	
Willie J. Parker v. Department of Human Resources	96 CSE 0517	Smith	02/21/97	
Douglas F. McBryde v. Department of Human Resources	96 CSE 0518	Becton	08/19/96	
Thomas White v. Department of Human Resources	96 CSE 0519	Chess	08/29/96	
James Trevor Emerson v. Department of Human Resources	96 CSE 0545	Phipps	07/25/96	
Ray Davis Hood v. Department of Human Resources	96 CSE 0547	Mann	09/12/96	
Leon McNair v. Department of Human Resources	96 CSE 0557	Morrison	08/08/96	
John William White v. Department of Human Resources	96 CSE 0558	Reilly	08/14/96	
Hazel L. Walker v. Department of Human Resources	96 CSE 0559	West	06/24/96	
Tayloria Y. Mann v. Department of Human Resources	96 CSE 0564	Smith	08/15/96	
Carl S. McNair v. Department of Human Resources	96 CSE 0568	Becton	06/24/96	
David Agurs v. Department of Human Resources	96 CSE 0580	Chess	06/13/96	
King Sanders Jr. v. Department of Human Resources	96 CSE 0581	Phipps	08/22/96	
Sandra Kay Carpenter v. Department of Human Resources	96 CSE 0595	Gray	08/29/96	
Christopher Clyde Barrino Jr. v. Department of Human Resources	96 CSE 0603	Morrison	08/26/96	
Clinton Sutton v. Department of Human Resources	96 CSE 0629	Reilly	08/29/96	
Dave L. James v. Department of Human Resources	96 CSE 0638	West	07/15/96	
Jonathan Bernard Copper v. Department of Human Resources	96 CSE 0642	Phipps	09/03/96	
Stanley Lewis Turner v. Department of Human Resources	96 CSE 0650	Smith	02/05/97	
Lisa Privette v. Department of Human Resources	96 CSE 0651	Becton	09/30/96	
Franklin D. Deese v. Department of Human Resources	96 CSE 0690	Mann	07/23/96	
Jan Smith Osborne v. Department of Human Resources	96 CSE 0703	Gray	10/04/96	
Mark Allen Rose Sr. v. Department of Human Resources	96 CSE 0732	Morrison	09/30/96	
Mark P. Crosby v. Department of Human Resources	96 CSE 0733	Reilly	09/30/96	
Bernard D. Brothers v. Department of Human Resources	96 CSE 0774	Smith	11/13/96	
Renee G. Arriola v. Department of Human Resources	96 CSE 0790	Becton	08/14/96	
Isaac Massey Jr. v. Department of Human Resources	96 CSE 0844	Phipps	10/25/96	
Darryl Leon White v. Department of Human Resources	96 CSE 0845	Mann	10/29/96	
Philip Purnell v. Department of Human Resources	96 CSE 0878	Phipps	10/25/96	
Edwin Southards v. Department of Human Resources	96 CSE 0968	Gray	10/25/96	
Mary Vanover v. Department of Human Resources	96 CSE 0981	Morrison	10/24/96	
Cabot S. Pollard v. Department of Human Resources	96 CSE 1012	Reilly	10/28/96	
Johnnie B. Walton v. Department of Human Resources	96 CSE 1071	Smith	11/14/96	
Timothy P. Ruth v. Department of Human Resources	96 CSE 1086	Becton	10/30/96	
Thomas Lee Glenn v. Department of Human Resources	96 CSE 1170	Reilly	12/10/96	
William S. Freeman v. Department of Human Resources	96 CSE 1184	Smith	01/10/97	
David W. Williams v. Department of Human Resources	96 CSE 1186	Chess	04/28/97	
James Benson v. Cumberland Child Support Enforcement	96 CSE 1187	Phipps	02/06/97	
Randy Dale Finnicum v. Department of Human Resources	96 CSE 1191	Gray	12/12/96	
William A. Cotton v. Department of Human Resources	96 CSE 1212	Morrison	01/10/97	
Melvin S. Trapp v. Department of Human Resources	96 CSE 1222	Smith	03/13/97	
Winston B. Scott v. Department of Human Resources	96 CSE 1223	West	02/10/97	
Janet W. Walker v. Department of Human Resources	96 CSE 1243	Morrison	03/18/97	
David Aldridge v. Department of Human Resources	96 CSE 1251	Chess	04/28/97	
Michael R. Bryant v. Department of Human Resources	96 CSE 1253	Phipps	01/14/97	
Willie M. Gregory v. Department of Human Resources	96 CSE 1259	Chess	04/15/97	
Dallas F. Butler v. Department of Human Resources	96 CSE 1261	Phipps	02/06/97	
Robert James Moore Junior v. Department of Human Resources	96 CSE 1264	Mann	02/10/97	
Washington J. James, III v. Department of Human Resources	96 CSE 1276	Chess	11/04/96	
Leslie E. Little v. Department of Human Resources	96 CSE 1282	Smith	01/10/97	
Otis L. Hinton v. Department of Human Resources	96 CSE 1295	Smith	03/13/97	
David W. Thompson v. Department of Human Resources	96 CSE 1298	Phipps	02/06/97	
Jimmie Lee Jones v. Department of Human Resources	96 CSE 1300	Gray	02/07/97	
Michael Sturdivant v. Department of Human Resources	96 CSE 1304	Reilly	02/06/97	
Tommy R. Thompson v. Department of Human Resources	96 CSE 1328	Mann	12/10/96	
Julian L. Barrett v. Department of Human Resources	96 CSE 1330	Morrison	02/06/97	
Richard A. Patton Jr. v. Department of Human Resources	96 CSE 1331* ¹⁶	Reilly	02/06/97	
Kenneth R. Blount v. Department of Human Resources	96 CSE 1332	West	01/30/97	
Anthony Bernard Crawford v. Department of Human Resources	96 CSE 1333	Smith	11/14/96	
Russell Pearson v. Department of Human Resources	96 CSE 1334	Becton	02/06/97	
Harry J. Cook v. Department of Human Resources	96 CSE 1339	Gray	12/12/96	
David B. Biggers v. Department of Human Resources	96 CSE 1342	West	04/28/97	
Donald (Glendon) Ryan v. Department of Human Resources	96 CSE 1344	Becton	01/31/97	
Joseph Davis v. Department of Human Resources	96 CSE 1346	Gray	02/18/97	
Jethero Davidson Jr. v. Department of Human Resources	96 CSE 1347	Morrison	11/14/96	
Garry G. Hickman v. Department of Human Resources	96 CSE 1349* ¹⁷	West	02/10/97	
Jeffrey Len Ezzell v. Department of Human Resources	96 CSE 1370* ¹⁸	Phipps	02/06/97	
Tessa Jones v. Department of Human Resources	96 CSE 1371* ¹⁹	Mann	02/10/97	
Wilbert J. Boykin v. Department of Human Resources	96 CSE 1375	Morrison	12/10/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Wayne R. Frazier v. Department of Human Resources	96 CSE 1377	West	02/10/97	
Raymond G. Molina v. Department of Human Resources	96 CSE 1378	Gray	12/12/96	
Robert R. Pray v. Department of Human Resources	96 CSE 1379	Morrison	01/09/97	
Marion A. Ward v. Department of Human Resources	96 CSE 1380	Reilly	11/15/96	
Adrian L. Steele v. Department of Human Resources	96 CSE 1381	West	03/21/97	
Lee G. Sanders Jr. v. Department of Human Resources	96 CSE 1400	Smith	02/10/97	
Julio Alvarado, Jr. v. Department of Human Resources	96 CSE 1401	Chess	04/28/97	
Robin G. Staten v. Department of Human Resources	96 CSE 1402	Gray	12/12/96	
Edward F. Murphy v. Department of Human Resources	96 CSE 1412	Smith	12/12/96	
Thomas B. Heller v. Department of Social Services, Ellen Marion Wyman	96 CSE 1414	Phipps	04/30/97	
Ken Lail v. Department of Human Resources	96 CSE 1432	Becton	02/17/97	
Robert A. Green v. Department of Human Resources	96 CSE 1437* ¹²	Gray	12/12/96	
Allah M. Thomas II v. Department of Human Resources	96 CSE 1439	Reilly	03/21/97	
Michael Roddy v. Department of Human Resources	96 CSE 1441* ²⁰	Smith	02/17/97	
Kermit Carl Johnson v. Department of Human Resources	96 CSE 1444	Chess	04/28/97	
Charlie Thomas Smith v. Department of Human Resources	96 CSE 1445	Phipps	12/12/96	
Clarence Stevenson, Jr. v. Department of Human Resources	96 CSE 1457	Morrison	02/18/97	
Federico R. Aire v. Department of Human Resources	96 CSE 1461	Becton	02/17/97	
Walter Love v. Department of Human Resources	96 CSE 1464* ²¹	Gray	02/18/97	
William D. Wall v. Child Support Enforcement	96 CSE 1472* ²²	Morrison	02/18/97	
S. Salvatore Mitchell Dichiera v. Department of Human Resources	96 CSE 1474	Smith	01/30/97	
Billy C. Cummings v. Department of Human Resources	96 CSE 1475	Becton	02/17/97	
Randy Earl Richardson v. Northampton County Dept. of Social Services	96 CSE 1486	West	01/31/97	
Mr. Rickey K. Terry v. Child Support Enforcement Agency	96 CSE 1487	Smith	02/06/97	
James McCollough v. Department of Human Resources	96 CSE 1490	Phipps	01/09/97	
Joseph T. Maddox v. Department of Human Resources	96 CSE 1494	Reilly	02/25/97	
Thomas R. Rotundo v. Mecklenburg County Child Support Enforcement	96 CSE 1501* ²⁴	Becton	04/02/97	
Mike Oser v. Department of Human Resources	96 CSE 1503	Chess	01/24/97	
Raleigh W. Nickerson v. Guilford County Child Support Enforcement	96 CSE 1509	Gray	02/03/97	
Ambrose Lamin v. Office of Child Support & Enforcement North Carolina	96 CSE 1511	West	03/05/97	
Gerald L. Pendergrass v. Department of Human Resources	96 CSE 1514	Morrison	03/03/97	
Dennis R. Kozee v. Department of Human Resources	96 CSE 1518	Becton	01/31/97	
Mark Owens Frink v. Department of Human Resources	96 CSE 1523	Mann	02/10/97	
Kelvine Lance Thompson v. Department of Human Resources	96 CSE 1538	Becton	01/09/97	
Robert Venice Flagg, Jr. v. Department of Human Resources	96 CSE 1545	Chess	01/24/97	
Larry D. Worthy v. Forsyth County Child Support	96 CSE 1546	Phipps	02/03/97	
Darryl Wiley v. Child Support Enforcement	96 CSE 1547	Mann	02/10/97	
Christopher A. Abney v. Department of Human Resources	96 CSE 1552	Reilly	01/30/97	
Marcus Watkins v. Stanly Cty Department of Social Services	96 CSE 1553	West	02/04/97	
Mickey Bridgett v. Department of Human Resources	96 CSE 1556	Smith	03/13/97	
Deena C. Routhier v. Department of Human Resources	96 CSE 1557	Smith	03/13/97	
Mark Pulliam v. Department of Human Resources	96 CSE 1559	Chess	01/24/97	
James A. Fultz v. Department of Human Resources	96 CSE 1560	Phipps	01/30/97	
David Lynn Jones v. Department of Human Resources	96 CSE 1562	Gray	03/10/97	
Donald R. Felton v. Department of Human Resources	96 CSE 1569	Chess	04/28/97	
Ronald Terry Brown v. Cumberland County Child Support Enforcement	96 CSE 1572	Phipps	03/06/97	
John Murray v. Department of Human Resources	96 CSE 1575	Morrison	04/30/97	
James B. Miller v. Department of Human Resources	96 CSE 1577	West	02/17/97	
E. Burt Davis, Jr. v. Department of Human Resources	96 CSE 1579	Chess	01/28/97	
Mari L. Ross v. Department of Human Resources	96 CSE 1580	Phipps	01/14/97	
Reginald A. Barnes v. Department of Human Resources	96 CSE 1581	Mann	12/10/96	
Boyce P. Banks v. Guildford County Child Support Enforment Agency	96 CSE 1593	Morrison	02/18/97	
Brian Thomas v. Child Support Enforcement	96 CSE 1594	Reilly	03/21/97	
Mark A. Blackburn v. Department of Human Resources	96 CSE 1596	Smith	01/30/97	
Spencer B. Miller v. Department of Human Resources	96 CSE 1607	Morrison	01/09/97	
Craig C. Coleman, Sr. v. Cumberland County Child Support Enforcement	96 CSE 1608	Reilly	03/03/97	
Boyd R. Kelley v. Cumberland County Child Support Enforcement	96 CSE 1609	West	03/05/97	
Kilamenjaro C. Clifton v. Department of Human Resources	96 CSE 1615	Morrison	01/09/97	
Larry C. Raynor v. Department of Human Resources	96 CSE 1616	Reilly	03/21/97	
Evans L. Torrence v. Department of Human Resources	96 CSE 1617	West	03/21/97	
Maria H. Morris v. Carteret County Child Support Agency	96 CSE 1618	Smith	01/10/97	
Jeffrey S. Lerner v. Department of Human Resources	96 CSE 1621	Phipps	01/09/97	
Kenneth Joe Diamond v. Cumberland County Child Support Enforcement	96 CSE 1623* ²³	Gray	03/03/97	
Gregory C. McCauley v. Department of Human Resources	96 CSE 1629	Becton	02/28/97	
Franklin Glenn Bryant v. Department of Human Resources	96 CSE 1632	Mann	03/05/97	
Robert Burke v. Department of Human Resources	96 CSE 1633	Morrison	04/30/97	
Kenneth Weldon v. Department of Human Resources	96 CSE 1643	Phipps	03/06/97	
James Todd Godfrey v. Child Support Dept. of Social Services	96 CSE 1669	Mann	02/17/97	
Judson T. Whitehurst v. Department of Human Resources	96 CSE 1670	West	03/25/97	
Oscar G. Mason v. Department of Human Resources	96 CSE 1671	Morrison	03/03/97	
Lenell M. Gales v. Department of Human Resources	96 CSE 1674	West	03/05/97	
Spencer L. Allen v. Department of Human Resources	96 CSE 1675	Smith	02/17/97	
Robert E. Lee v. Department of Human Resources	96 CSE 1682	Mann	04/29/97	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Gary Lee Heafner Sr. v. Department of Human Resources	96 CSE 1684	Gray	02/03/97	
Hsu Chu Meachum, A/K/A Linda Meachum v. Dept. of Human Resources	96 CSE 1685	Morrison	02/28/97	
Kenneth A. Ingle v. Department of Human Resources	96 CSE 1715	Chess	02/20/97	
Dorman E. Drake v. Department of Human Resources	96 CSE 1718	Smith	04/29/97	
Billie J. Swain v. Social Services Child Support	96 CSE 1732	Smith	02/17/97	
Raul Lapoule v. Department of Human Resources	96 CSE 1734	Chess	02/20/97	
Michael R. Henne v. Randolph County Child Support Enforcement	96 CSE 1735	Gray	03/21/97	
Jamal D. Wilborne Sr. v. Child Support Enforcement & AFDC	96 CSE 1736	Morrison	02/18/97	
Bobby Joe McIlwain v. Mecklenburg County Child Support Enforcement	96 CSE 1737	Reilly	02/25/97	
Ronald H. Burridge, Sr. v. Child Support Enforcement Agency (D.S.S.)	96 CSE 1738	West	03/25/97	
James Jackson v. Department of Human Resources	96 CSE 1739	Smith	02/17/97	
Rolander Y. Grice, Sr. v. Department of Human Resources	96 CSE 1745	Smith	03/25/97	
Michael J. Terrell v. Department of Human Resources	96 CSE 1746	Becton	03/21/97	
Glenn E. Smith v. Department of Human Resources	96 CSE 1748	Phipps	03/24/97	
Donald R. Felton v. Department of Human Resources	96 CSE 1752	Chess	04/28/97	
Jeffrey Dale Grant v. Department of Human Resources	96 CSE 1753	Reilly	01/30/97	
Harold Ray Armstrong, Jr. v. Department of Human Resources	96 CSE 1763	Gray	02/03/97	
Gregory C. McCauley v. Department of Human Resources	96 CSE 1768	Smith	02/27/97	
Joseph J. Dunn v. Department of Human Resources	96 CSE 1770* ¹⁴	Mann	02/03/97	
Joseph J. Dunn v. Department of Human Resources	96 CSE 1771* ¹⁴	Mann	02/03/97	
Ernest G. Baldwin v. Department of Human Resources	96 CSE 1773	Reilly	03/21/97	
Wayne Deross v. Department of Human Resources	96 CSE 1775	Smith	04/29/97	
Gregory S. Wolbert v. Department of Human Resources	96 CSE 1783	Mann	02/10/97	
Michael Glenn Stallings v. Child Support Agency Buncombe County	96 CSE 1791	Smith	04/29/97	
Archie Lee Oxendine v. Department of Human Resources	96 CSE 1797	Morrison	01/30/97	
Michael Bell v. Department of Human Resources	96 CSE 1800	Morrison	01/09/97	
Clinton T. Strickland v. Guilford County Child Support Enforcement	96 CSE 1811	West	03/25/97	
Mr. Ronald D. Toomer v. Mecklenburg Cty Child Support Enforcement	96 CSE 1812	Smith	03/25/97	
Terry Tootle v. Department of Human Resources	96 CSE 1813	Becton	03/21/97	
Wayne J. Swaringen v. Department of Human Resources	96 CSE 1816	Mann	03/24/97	
Ernest Paul Tinnin v. Guilford County Child Support Enforcement	96 CSE 1841	Phipps	04/30/97	
Reginald Whitmire v. Cleveland Co. DSS	96 CSE 1843	Morrison	03/25/97	
Lawrence F. Myers v. Guilford County Child Support Enforcement	96 CSE 1847	Mann	04/29/97	
Robert Potts v. Department of Human Resources	96 CSE 1850	Reilly	04/29/97	
Rodney Hanson v. Department of Human Resources	96 CSE 1860	West	03/25/97	
Jimmy Dorsey v. Department of Human Resources	96 CSE 1861	Smith	04/29/97	
Jerome Maddox v. Department of Human Resources	96 CSE 1865	Chess	01/28/97	
Samuel L. Powell v. Department of Human Resources	96 CSE 1894	West	03/25/97	
Charles Harris v. Rutherford County Child Support Enforcement	96 CSE 1899	Phipps	04/30/97	
Billy E. Adams II v. Child Support Enforcement Agency	96 CSE 1900	Mann	03/05/97	
Ramon Domenech v. Department of Human Resources	96 CSE 1912	Gray	02/03/97	
Joseph W. Lupo v. State of NC County of Hoke	96 CSE 1934	Phipps	04/30/97	
Terry Lee Pearson v. Child Support Enforcement	96 CSE 1935	Mann	04/29/97	
Herbert Leon Sellers v. Department of Human Resources	96 CSE 1936	Smith	04/29/97	
Terence L. McMurray v. Department of Human Resources	96 CSE 1947	Morrison	03/25/97	
Kevin L. Combs v. Department of Human Resources	96 CSE 1949	Reilly	04/29/97	
Patricia Chambers v. Department of Human Resources	96 CSE 1985	Mann	04/29/97	
Dana A. Harris v. Department of Human Resources	96 CSE 1986	Becton	04/30/97	
Amil Rafkah v. Department of Human Resources	96 CSE 2020	Reilly	02/25/97	
William R. Briggs v. Department of Human Resources	96 CSE 2021	West	02/17/97	
Sanford Tyler v. Department of Human Resources	96 CSE 2067	Phipps	02/17/97	
Jonah F. Fuller v. Department of Human Resources	96 CSE 2068	Mann	03/05/97	
Thomas Edward Kutchey v. Child Support Enforcement Agency	97 CSE 0047	Smith	03/13/97	
George G. Grill, Sr. v. Child Support Enforcement	96 CRA 1185	Becton	02/28/97	
Kelvin R. Watson v. Guilford County Child Support Enforcement	96 CRA 1188	Mann	04/25/97	
Phillip L. Lewis v. Department of Human Resources	96 CRA 1225	Becton	12/18/96	
John William Vestal Sr. v. Department of Human Resources	96 CRA 1244	Reilly	12/10/96	
George W. Burnett, Jr. v. Department of Human Resources	96 CRA 1248	Smith	03/13/97	
Alan M. Brown, Sr. v. Department of Human Resources	96 CRA 1288	Chess	03/06/97	
Charles F. Haag, Jr. v. Department of Human Resources	96 CRA 1289	Phipps	12/12/96	
Walter Richardson, Jr. v. Department of Human Resources	96 CRA 1302	Morrison	12/10/96	
Clifton Huff v. Child Support Enforcement Mecklenburg	96 CRA 1318	Mann	01/22/97	
Scott Sanders v. Department of Human Resources	96 CRA 1320	Morrison	12/12/96	
Mark Stephens v. Department of Human Resources	96 CRA 1321	Reilly	12/13/96	
Clarence M. Hunter v. Onslow County DSS-CSE	96 CRA 1322	West	03/21/97	
Teresa Devalle v. Department of Human Resources	96 CRA 1329	Gray	01/13/97	
Larry Michael Rollins, Jr. v. Department of Human Resources	96 CRA 1341	Reilly	01/10/97	
Garry G. Hickman v. Department of Human Resources	96 CRA 1350* ¹⁷	West	02/10/97	
Richard A. Patton Jr. v. Department of Human Resources	96 CRA 1354* ¹⁸	Reilly	02/06/97	
Kenneth Ray Lowery v. Department of Human Resources	96 CRA 1355	Becton	01/15/97	
Jeffrey Len Ezzell v. Department of Human Resources	96 CRA 1368* ¹⁸	Phipps	02/06/97	
Jeffrey Len Ezzell v. Department of Human Resources	96 CRA 1369	Phipps	12/12/96	
Tessa Jones v. Department of Human Resources	96 CRA 1372	Mann	12/10/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Tessa Jones v. Department of Human Resources	96 CRA 1373* ¹⁹	Mann	02/10/97	
Ronald Graham Moore v. Department of Human Resources	96 CRA 1374	Gray	01/14/97	
Thomas R. Rotundo v. Mecklenburg County Child Support Enforcement	96 CRA 1385* ²⁴	Becton	04/02/97	
John G. Howard, Jr. v. Department of Human Resources	96 CRA 1386	Reilly	12/13/96	
Gregory B. Phy v. Department of Human Resources	96 CRA 1399	West	11/14/96	
Raymond E. Smith v. Department of Human Resources	96 CRA 1404	West	01/10/97	
Robert A. Green v. Department of Human Resources	96 CRA 1436* ¹²	Gray	12/12/96	
Michael Roddy v. Department of Human Resources	96 CRA 1442* ²⁰	Smith	02/17/97	
Kevin J. Miller v. Department of Human Resources	96 CRA 1443	Becton	01/13/97	
Timothy Schnell v. Department of Human Resources	96 CRA 1447	Morrison	01/30/97	
Walter Love v. Department of Human Resources	96 CRA 1465* ²¹	Gray	02/18/97	
Roger W. Taylor v. Department of Human Resources	96 CRA 1478	Mann	01/10/97	
William D. Wall v. Child Support Enforcement	96 CRA 1481* ²²	Morrison	02/18/97	
Barbara Renae Caldwell v. Cumberland Cty Child Support Enforcement	96 CRA 1510	Reilly	01/14/97	
Lee G. Sanders Jr. v. Department of Human Resources	96 CRA 1515	Reilly	01/13/97	
Brian Kevin King v. Department of Human Resources	96 CRA 1516	West	01/13/97	
Laura D. Prince v. Department of Human Resources	96 CRA 1517	Smith	01/13/97	
George D. Brickell v. Department of Human Resources	96 CRA 1526	Morrison	12/10/96	
Kelvine Lance Thompson v. Department of Human Resources	96 CRA 1537	Becton	12/18/96	
Marcus Watkins v. Stanly County Department of Social Services	96 CRA 1554	West	01/13/97	
Garry G. Hickman v. Department of Human Resources	96 CRA 1563* ¹⁷	West	02/10/97	
David Lynn Jones v. Department of Human Resources	96 CRA 1565	West	01/13/97	
Kenneth Joe Diamond v. Cumberland County Child Support Enforcement	96 CRA 1624* ²³	Gray	03/03/97	
Keith W. Phillips v. Cleveland Cty Department of Social Services	96 CRA 1627	West	01/14/97	
Judy R. Johnson v. Department of Human Resources	96 CRA 1631	Phipps	01/14/97	
Levern Blue v. Department of Human Resources	96 CRA 1650	West	01/14/97	
Michael E. Kimbril v. Child Support Agency Buncombe County	96 CRA 1666	Smith	01/14/97	
Spencer L. Allen v. Department of Human Resources	96 CRA 1676	Smith	01/14/97	
James Robert Liles v. Department of Human Resources	96 CRA 1678	Chess	02/18/97	
Clyde E. Williams v. Department of Human Resources	96 CRA 1689	Becton	03/21/97	
Tommy Allen Springs v. Forsyth Cty Dept. of Social Services	96 CRA 1733	Becton	02/06/97	
David Ray Rowdy v. Dept. of Human Resources	96 CRA 1751	Gray	02/07/97	
John E. Gombocs v. Dept. of Human Resources	96 CRA 1755	Smith	02/10/97	
Charles John Widelski v. Department of Human Resources	96 CRA 1765	Reilly	02/06/97	
John B. Wiggins v. Department of Human Resources	96 CRA 1772	Morrison	03/21/97	
Wayne L. Weeks v. Department of Human Resources	96 CRA 1776	Becton	02/06/97	
Amanda F. Blount v. Cumberland Cty Child Support Enforcement	96 CRA 1790	West	02/10/97	
Oscar C. Adams v. Department of Human Resources	96 CRA 1799	Gray	03/03/97	
Norman Eugene Cameron v. Support Enforcement Fayetteville	96 CRA 1807	Smith	02/06/97	
David J. Hildebrand v. Department of Human Resources	96 CRA 1819	Morrison	02/06/97	
Debra J. Davis v. Columbus County Dept. Social Service	96 CRA 1842	Mann	02/10/97	
Tracy Robertson v. Department of Human Resources	96 CRA 1851	West	03/21/97	
Debra Wade v. Department of Human Resources	96 CRA 1852	Smith	02/06/97	
Casey C. Townsend v. Department of Human Resources	96 CRA 1856	Mann	02/10/96	
Samuel L. Powell v. Department of Human Resources	96 CRA 1893	West	02/17/96	
Jimmy Wright v. Department of Human Resources	96 CRA 1903	Reilly	04/29/97	
Scott James Petrell v. Department of Human Resources	96 CRA 1913	Morrison	03/18/97	
Samual L. Gordon v. Department of Human Resources	96 CRA 1919	Gray	02/18/96	
C. Lee Bartlett v. Department of Human Resources	96 CRA 1938	Morrison	02/18/96	
Terence L. McMurray v. Department of Human Resources	96 CRA 1946	Morrison	02/18/96	
Paul Mobley Jr. v. Department of Human Resources	96 CRA 1980	Phipps	03/24/97	
Joseph Lupo v. Department of Human Resources	96 CRA 1991	Phipps	03/06/97	
Anthony O. Houston v. Department of Human Resources	96 CRA 1996	Morrison	03/20/97	
William R. Briggs v. Department of Human Resources	96 CRA 2022	West	03/05/97	
Daniel J. McDowell v. Department of Human Resources	96 CRA 2106	Mann	03/24/97	
Johnie J. Peterkin v. Department of Human Resources	96 CRA 2107	Morrison	03/20/97	
Melinda S. Tunner v. Department of Human Resources	95 DCS 0921	Morrison	05/09/96	
Jeanne G. Bishop v. Department of Human Resources	95 DCS 0958	West	04/04/96	
Rebecca Beaver v. Department of Human Resources	95 DCS 1114	Reilly	04/26/96	
Vivian B. White v. Department of Human Resources	95 DCS 1115	Phipps	06/04/96	
Mary R. Mahon v. Department of Human Resources	95 DCS 1137* ⁶	Chess	06/11/96	
Mary R. Mahon v. Department of Human Resources	95 DCS 1142* ⁶	Chess	06/11/96	
Laura Heidorf v. Department of Human Resources	96 DCS 0065	Reilly	03/22/96	
Lois Floyd Barber v. Department of Human Resources	96 DCS 0176	Gray	07/30/96	
La Rue Herring v. Department of Human Resources	96 DCS 0298	Gray	11/06/96	
Debra D. Hammonds v. Department of Human Resources	96 DCS 0792	Chess	10/08/96	
Kim Chappel v. Department of Human Resources	96 DCS 1070	West	04/28/97	
Carolyn Cole v. Department of Human Resources	96 DCS 1127	Chess	04/08/97	
Vickie Osoria v. Department of Human Resources	96 DCS 1140	Gray	12/12/96	
Trinc P. Bollinger v. Department of Human Resources	96 DCS 1353	Smith	12/12/96	
Christie L. Pittman v. Department of Human Resources	96 DCS 1561	Mann	01/27/97	
Lorna Sharpe-Ester v. Department of Human Resources	96 DCS 1687	West	02/10/97	
Faye Leak v. Department of Human Resources	97 DCS 0032	West	04/28/97	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
INSURANCE				
Carol M. Hall v. Teachers & State Employees Comp. Major Medical Plan	95 INS 1141	Phipps	04/01/96	
Arthur Wayne Dempsey v. Department of Insurance	95 INS 1255	Smith	04/22/96	
Deborah B. Beavers v. Teachers & St. Emp. Comp. Major Med. Plan	95 INS 1411	Smith	05/10/96	11:05 NCR 308
Nadia A. Hakim v. Department of Insurance	95 INS 1422	Smith	03/26/96	
Kathleen D. Jarvis v. Teachers & St. Emp. Comp. Major Med. Plan	96 INS 0075	Morrison	10/16/96	
Mary Alice Casey v. Department of Insurance	96 INS 0148	Reilly	08/14/96	
Nancy C. Lowe v. Teachers & State Employees Comp. Major Med. Plan	96 INS 0726	West	11/20/96	
JUSTICE				
Wendy Atwood v. Department of Justice (Company Police Program)	96 DOJ 0111	Chess	08/07/96	
Deborah K. Torrance v. Company Police Program Administrator	96 DOJ 0363	Becton	08/14/96	
John O. Beach v. Alarm Systems Licensing Board	96 DOJ 1362	West	11/19/96	
Ronald R. Coats v. Alarm Systems Licensing Board	96 DOJ 1364	Phipps	11/26/96	
<i>Education and Training Standards Division</i>				
Freddie Levern Thompson v. Criml. Justice Ed. & Training Stds. Comm.	95 DOJ 0731	Chess	02/29/96	
Shane Douglas Crawford v. Sheriffs' Ed. & Training Stds. Comm.	95 DOJ 0943	Reilly	05/17/96	
Charles Henry Daniels v. Criml. Justice Ed. & Training Stds. Comm.	95 DOJ 1070	West	06/12/96	
Valerie Maxine Brewington v. Criml. Justice Ed. & Training Stds. Comm.	95 DOJ 1129	Smith	04/12/96	
Patricia Josephine Bonanno v. Sheriffs' Ed. & Training Stds. Comm.	95 DOJ 1152	Chess	03/25/96	
Douglas Allan Stuart v. Sheriffs' Ed. & Training Stds. Comm.	95 DOJ 1189	Morrison	06/06/96	
Rick M. Evoy v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 1235	Chess	03/25/96	
Windell Daniels v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 1320	Gray	07/24/96	
Gregory Lee Daughtridge v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0027	Reilly	03/19/96	
Sherrie Ann Gainey v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0028	Becton	08/09/96	
Stuart Hugh Rogers v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0029	West	06/18/96	
Brian Thomas Craven v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0036	Gray	07/09/96	
Larry D. Weston v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0037	Smith	06/12/96	
Carlton Gerald v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0068	Gray	03/26/96	
Ken Montie Oxendine v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0071	West	03/28/96	
James Leon Hunt v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0077	Phipps	07/25/96	
David Kent Knight v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0115	West	03/28/96	
Demetrius Arnez Brown v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0138	Becton	08/09/96	
Claude F. Nunnery v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0305	Gray	08/28/96	
John Charles Maloney v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0306	Smith	08/16/96	
Jimmie L. Cooper v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0352	Morrison	07/12/96	
Jerry Glenn Monette v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0420	Morrison	07/26/96	11:10 NCR 874
Carlton Gerald v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0432	Becton	08/07/96	
Woodrow Andrew Clark v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0515	West	10/07/96	
Warren Scott Nail v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0576	Becton	08/07/96	
Zoriana Lyczkowski v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0619	Morrison	10/21/96	
Philip A. Berezik, Jr. v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0652	Reilly	11/13/96	
George Willie Gilliam v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0656	Morrison	08/02/96	
George Willie Gilliam v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0656	Phipps	01/28/97	
Glenn R. Brammer v. Sheriffs' Ed. & Training Standards Comm.	96 DOJ 0839	Smith	09/05/96	
Timothy Wayne Fulford v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0840	Smith	09/16/96	
Brent Lee Millsaps v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0841	Chess	09/24/96	
Debra McHale Sadler v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 0891	Smith	03/13/97	
James Michael Doe v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0957	Phipps	12/06/96	
Charles M. Perry v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 1016	Smith	01/22/97	
Gregory K. Knox v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 1836	Reilly	02/03/97	
Tyrone Sutton v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 1837	Becton	02/17/97	
Bobby V. Hancock v. Sheriffs' Ed. & Training Stds. Comm.	96 DOJ 1885	Becton	02/17/97	
<i>Private Protective Services Board</i>				
Timothy A. Hawkins v. Private Protective Services Board	95 DOJ 1419	West	04/12/96	
William F. Combs v. Private Protective Services Board	96 DOJ 0022	West	03/22/96	
Randy C. Hoyle v. Private Protective Services Board	96 DOJ 0024	Smith	06/10/96	
John Darrell Shaver v. Private Protective Services Board	96 DOJ 0127	Reilly	02/26/97	
Daniel Ray Williams v. Private Protective Services Board	96 DOJ 0128	Reilly	02/26/97	
Robert A. Gibson v. Private Protective Services Board	96 DOJ 0386	Smith	07/03/96	
Jimmy D. Mathews v. Private Protective Services Board	96 DOJ 0676	Reilly	07/11/96	
Johnnie Lee King v. Private Protective Services Board	96 DOJ 0677	Reilly	07/11/96	
Charlie C. Brackett v. Private Protective Services Board	96 DOJ 0712	Becton	02/03/97	
Thomas R. Harris v. Private Protective Services Board	96 DOJ 0761	Reilly	07/11/96	
Private Protective Services Board v. Henry E. Byrd, Jr.	96 DOJ 0796	Mann	08/19/96	
Larry Boggs v. Private Protective Services Board	96 DOJ 0797	Morrison	10/10/96	
Private Protective Services Board v. Charles T. Mathis	96 DOJ 0798	Mann	08/27/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Private Protective Services Board v. Ricky C. Mullinax	96 DOJ 0800	Becton	10/04/96	
Private Protective Services Board v. Michael A. Smith	96 DOJ 0801	Becton	10/09/96	
Keith L. Saunders v. Private Protective Services Board	96 DOJ 1363	Smith	01/15/97	
DEPARTMENT OF LABOR				
Luke Caudle, Midtown Sundries In. v. Department of Labor	97 DOL 0295	Phipps	04/21/97	
MEDICAL BOARD				
Medical Board v. Martin A. Hatcher, M.D.	92 BME 0510	Gray	06/28/96	11:08 NCR 555
PUBLIC INSTRUCTION				
Lavern K. Suggs v. NC Board of Education	95 EDC 0383	Smith	03/13/96	
V.A.A. and R.L.A. v. Johnston County School System	95 EDC 1024	Mann	02/11/97	11:24 NCR 1860
J.T.S. & T.S., Parents of E.M.S. v. Chapel Hill-Carrboro City Schl. Sys.	95 EDC 1194	Mann	04/12/96	
L.O. v. Charlotte-Mecklenburg Board of Education	96 EDC 0285	Mann	05/31/96	
Candyce Ewanda Newsome v. Hertford County Board of Education	96 EDC 0344	Chess	05/15/96	
W. and G.B., on Behalf of C.B. v. Winston-Salem/Forsyth Cty. Schools	96 EDC 0349	Mann	09/03/96	
Zelma J. Hillsman v. NC State Board of Education	96 EDC 0399	Phipps	01/27/97	11:23 NCR 1808
Cyvonne Rush Bryant v. NC State Board of Education	96 EDC 0591	Becton	09/11/96	
Steve Wright Brown v. State Board of Education	96 EDC 0593	Reilly	10/11/96	
Blaise Malveau v. Cumberland County Board of Education	96 EDC 0613	Chess	08/14/96	
Blaise Malveau v. Cumberland County Board of Education	96 EDC 0614	Chess	08/14/96	
John Barlow v. Watauga County Board of Education	96 EDC 0623	Reilly	07/24/96	
Louis Craig Gill v. State Board of Education	96 EDC 0675	Smith	12/18/96	11:20 NCR 1624
John L. Archer v. Department of Public Instruction	96 EDC 0678	Smith	08/02/96	
Pamela F. Cummings v. Department of Public Instruction	96 EDC 0742	Smith	08/16/96	
Susie Whitley/Brandon Whitley v. Charlotte-Mecklenburg Bd. of Ed.	96 EDC 0964	Chess	09/17/96	
Larry Goins v. Department of Public Instruction	96 EDC 0994	Reilly	04/10/97	
Michael Wayne Geter v. Charlotte-Mecklenburg School Board	96 EDC 1036	West	09/23/96	
Ted Louis Raye v. State Board of Education	96 EDC 1055	Morrison	01/10/97	
Felicia M. Moore v. Charlotte-Mecklenburg Schools & Dept. of Public Ins.	96 EDC 1303	Smith	11/25/96	
Michael B. Trombley v. Department of Public Instruction	96 EDC 1970	Gray	02/20/97	
Alice Faye Holder and Child, Tanikca v. Wake County Board of Education	97 EDC 0139	Smith	04/18/97	
REVENUE				
Long Branch Env. Ed. Ctr., Inc. v. Buncombe Cty Comm., Buncombe Cty Bd. of Equalization and Review and the Buncombe Cty Tax Assessor	97 REV 0135	Chess	03/17/97	
STATE PERSONNEL				
<i>Department of Administration</i>				
Jimmie A. Hughes, Jr. v. Department of Administration	96 OSP 0008	Reilly	07/23/96	
Jonathan L. Fann v. Department of Administration, Admin. Personnel	96 OSP 0042	Gray	05/24/96	
Carlton Gerald v. State Capitol Police, Department of Administration	96 OSP 0116	Gray	04/25/96	
<i>Administrative Office of the Court</i>				
Ethel R. Tyson v. NC Judicial Dept., Administrative Office of the Court	96 OSP 0080	Smith	03/15/96	
<i>Albemarle Mental Health Center</i>				
Judy A. Gordon v. Albemarle Mental Health Center	96 OSP 0354	Chess	10/17/96	
<i>Caldwell County</i>				
Blake C. Pace v. Caldwell County	96 OSP 0047	Morrison	04/01/96	
<i>Catawba County Mental Health</i>				
Tonyer J. Ruff v. Catawba County Mental Health	96 OSP 0951	Becton	10/22/96	
<i>Central North Carolina School for the Deaf</i>				
Felicia S. Milton v. Central North Carolina School for the Deaf	95 OSP 1241	Chess	05/17/96	
<i>Department of Correction</i>				
Haydee Craver v. Department of Correction, Pender Correctional Inst.	95 OSP 1046	Gray	03/12/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Nancy L. Marek v. Department of Correction, Division of Prisons	95 OSP 1075	Chess	02/17/97	
Gregory Allen Jones v. Department of Correction, Supt. Bonnie Boyette	95 OSP 1290	Phipps	05/14/96	
Carolyn Cheek v. Department of Correction	95 OSP 1441	Smith	09/19/96	
Calvia L. Hill v. Department of Correction, McCain Correctional Hospital	95 OSP 1460	Gray	05/17/96	
Alisha Louise Staley v. Randolph Correctional Center	96 OSP 0092	Gray	06/03/96	
Brenda Propst v. Foothills Correctional Institution	96 OSP 0199	Morrison	04/09/96	
Delon D. Solomon v. Department of Correction	96 OSP 0258	West	07/02/96	
Alisha Louise Staley v. Randolph Correctional Center	96 OSP 0261	Morrison	08/05/96	
Ann Williams v. Department of Correction	96 OSP 0279	Phipps	10/31/96	
Haydee C. Craver v. Department of Correction, Christopher Phillips	96 OSP 0348	Phipps	05/15/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0372*	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0373*	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0374*	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0375*	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0376*	Smith	07/05/96	
Rebecca A. Faison v. Department of Correction for Women	96 OSP 0383	Becton	10/01/96	
Calvia L. Hill v. Department of Correction, McCain Correctional Hospital	96 OSP 0397	Gray	08/15/96	
Pamela Robinson v. Department of Correction	96 OSP 0403	Phipps	12/18/96	
James A. Klein v. Department of Correction	96 OSP 0434	Gray	10/29/96	
James E. Holmes v. Secretary Franklin Freeman (DOC), Parole Comm.	96 OSP 0538	Becton	02/07/97	
Greggory Thomas, Sr. v. Department of Correction	96 OSP 0578	Chess	04/10/97	
Tony R. Broffman v. Department of Correction	96 OSP 0625	Becton	08/29/96	
Mary Hargraves v. Department of Correction	96 OSP 0674	Smith	09/05/96	
Michael S. Doe v. Caswell Center	96 OSP 0691	Phipps	09/23/96	
Timothy L. Willis v. Caswell Correctional Center	96 OSP 0715	West	07/30/96	
Alisha Louise Staley v. Randolph Correctional Center	96 OSP 0780	Smith	10/16/96	
Thomas N. Powell v. Department of Correction ENTERPRISE	96 OSP 0950	Chess	04/15/97	
Sharon Oxendine v. Department of Correction	96 OSP 0999	Becton	10/22/96	
Sophia Denise Cole v. Department of Correction	96 OSP 1072	Reilly	04/29/97	
James D. Dowdy v. Department of Correction	96 OSP 1081	Smith	02/21/97	
Larry W. Cole, Sr. v. Brown Creek Correctional Inst.	96 OSP 1136	Phipps	02/10/97	
Martin Tyler Wells, Sr. v. Dept of Correction Sandhill Youth Center	96 OSP 1142	Chess	01/28/97	
Timothy J. Ciscel & Anita K. Ciscel v. DOP/Piedmont Corr. Inst.	96 OSP 1149	Chess	01/24/97	
Charles H. Perry v. Department of Correction	96 OSP 1542	Reilly	01/02/97	
Barbara Graham v. Department of Correction	96 OSP 1700	Becton	03/07/97	11:25 NCR 1964
Calvia L. Hill v. Dept. of Correction, Lumberton Correctional Inst.	96 OSP 1705	Smith	03/27/97	
Samuel Davenport v. Department of Correction	96 OSP 1973	Chess	04/04/97	
Mohammad R. Pirouzkhan v. Department of Correction	97 OSP 0038	Phipps	03/24/97	
Mohammad R. Pirouzkhan v. Department of Correction	97 OSP 0239	Gray	04/11/97	

Craven County Health Department

Linda Walker v. Craven County Health Department	95 OSP 1171*	Smith	01/24/97
Patricia Kemp v. Craven County Health Department	95 OSP 1233*	Smith	01/24/97
Patricia Kemp v. Craven County Health Department	96 OSP 0324*	Smith	01/24/97

Department of Crime Control and Public Safety

Jerry Lee Fields v. State Highway Patrol	94 OSP 1174*	Gray	08/05/96
Gene Wells v. Crime Control & Public Safety, State Highway Patrol	95 OSP 0249*	Smith	07/23/96
Hearl Oxendine v. Crime Control & Public Safety, St. Highway Patrol	95 OSP 0697	Smith	10/16/96
Jerry Lee Fields v. State Highway Patrol	95 OSP 0836*	Gray	08/05/96
Gene Wells v. Crime Control & Public Safety, State Highway Patrol	95 OSP 1050*	Smith	07/23/96
Lloyd Edward Lowry v. Department of Crime Control & Public Safety	96 OSP 0341	Reilly	02/28/97
Peter Mason Griffin v. Crime Control & Public Safety, St. Hwy Patrol	96 OSP 1309	Gray	12/12/96
Mary S. Holmes v. Victim & Justice Services Division, DCCPS	96 OSP 2000	Morrison	04/16/97

Durham County Health Department

Lylla D. Stockton v. Durham County Health Department	95 OSP 0176	West	07/02/96
--	-------------	------	----------

Employment Security Commission

Gene S. Baker v. Gov. James B. Hunt, Jr., Ann Q. Duncan, Chairman, Employment Security Commission	93 OSP 0707	Becton	05/16/96	11:05 NCR 300
William Herbert Allen v. Employment Security Commission	94 OSP 1688	West	06/11/96	
Patricia Gary v. Employment Security Commission	95 OSP 0793	Chess	05/14/96	
Tonderlier Lynch v. Emp. Security Comm., Austin Quality Foods, Inc.	96 OSP 0275	Chess	05/21/96	

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Jessie James Thomas, Jr. v. Employment Security Commission	96 OSP 1961	Phipps	01/27/97	
<i>Department of Environment, Health, and Natural Resources</i>				
Roberta Ann "Robin" Hood v. Environment, Health, & Natural Resources	95 OSP 0035	Reilly	04/09/96	
Kathy B. Vinson v. Dept. of Environment, Health, & Natural Resources	95 OSP 0203	Gray	09/18/96	11:13 NCR 1087
Diana Tootle v. Department of Environment, Health, & Natural Resources	95 OSP 0569	Reilly	03/24/97	11:26 NCR 2042
Donald E. Batts v. Division of Adult Health, EHNR	95 OSP 1071	Smith	10/01/96	
<i>Guilford County Area Mental Health, Developmental Disabilities and Substance Abuse</i>				
Stuart Klatte v. Guilford Cty Area MH/DD/SAS, St. Per Comm, OSP	95 OSP 1179	Smith	07/19/96	11:10 NCR 865
<i>Department of Human Resources</i>				
Sheila Logan v. Black Mountain Center, Dept. of Human Resources	95 OSP 0672	Chess	01/24/97	
Myron A. Smith v. DHR, Division of Child Development	95 OSP 1033	Morrison	11/27/96	
Ophelia Webb v. Edard R. Inman, Dir. Alamance Cty DSS, Alamance City DSS, Alamance County, and DHR	96 OSP 0112	Gray	03/13/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0114* ¹¹	Gray	11/05/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0146* ¹¹	Gray	11/05/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0147* ¹¹	Gray	11/05/96	
Gail Marie Rodgers Lincoln v. DHR, DMH/DD/SAS-Cherry Hosp., Cherry Hospital	96 OSP 0159	Chess	06/17/96	
Cynthia D. Hickman v. DHR, Central School for the Deaf	96 OSP 0191	Becton	09/23/96	
Johnny Earl Young v. Unit Head Director of Food & Nutrition	96 OSP 0217	Reilly	08/13/96	
Peggy Pledger v. Department of Human Resources, Dorothea Dix Hosp.	96 OSP 0241* ¹¹	Gray	11/05/96	
Mary A. Boogaerts v. Cherry Hospital, Goldsboro, NC	96 OSP 0269	Becton	05/29/96	
Kelvin Parter v. Dorothea Dix Hospital	96 OSP 0294	Chess	08/07/96	
Johnny Earl Young v. Unit Head Director of Food & Nutrition	96 OSP 0543	Reilly	07/09/96	
Johnny Earl Young v. Unit Head Director of Food & Nutrition	96 OSP 0590	Reilly	07/09/96	
Kim A. Bell v. Walter B. Jones Alcohol & Drug Abuse Treatment Center	96 OSP 0597	Becton	09/11/96	
William C. Neal v. Department of Human Resources	96 OSP 0605	Morrison	04/17/97	11:27 NCR 2099
Allen J. Wright, Jr. v. Blue Ridge Area Authority	96 OSP 0665	Reilly	12/20/96	
Lynn S. Hales v. John Umstead Hospital	96 OSP 0729	West	10/02/96	
Deborah Ayala v. DHR/DSS/Child Support Enforcement	96 OSP 1062	Smith	10/29/96	
Jacqueline C. Branch v. Division of Facility Services	96 OSP 1089	Smith	12/09/96	
<i>Buncombe County Department of Social Services</i>				
Kathy Davis v. Buncombe County Department of Social Services	95 OSP 1487	West	08/09/96	
<i>Caswell Center</i>				
Ramona C. Jenkins v. Department of Human Resources, Caswell Center	89 OSP 0411	Becton	03/26/96	
Ramona C. Jenkins v. Department of Human Resources, Caswell Center	91 OSP 0522	Becton	03/26/96	11:02 NCR 89
Franklin D. Sutton v. Department of Human Resources, Caswell Center	94 OSP 0766	Smith	03/21/96	
<i>Cumberland County Department of Social Services</i>				
Deborah McKoy v. Cumberland County Department of Social Services	95 OSP 1059	Chess	02/17/97	
Ruth Fortner v. Cumberland County Department of Social Services	96 OSP 0829	Becton	12/02/96	
<i>Durham County Department of Social Services</i>				
Jan E. Smith v. Durham County Department of Social Services	95 OSP 1121	Morrison	05/24/96	
<i>Halifax County Department of Social Services</i>				
Clairbel Thomas v. Halifax County DSS & Director, Halifax County DSS	95 OSP 0905	West	05/29/96	11:06 NCR 395
<i>Haywood County Department of Social Services</i>				
Carol Hubbard v. Haywood County Department of Social Services	95 OSP 1084	Reilly	08/30/96	11:13 NCR 1092
<i>Lenoir County Department of Social Services</i>				
Sharron S. Moten v. Lenoir County DSS, Jack B. Jones	96 OSP 1100	Gray	12/06/96	
Felicia Ann Baker v. Lenoir County DSS, Jack B. Jones	96 OSP 1101	Gray	12/12/96	
<i>Division of Medical Assistance</i>				
Harold Wiggins v. Division of Medical Assistance	95 OSP 1482	West	06/11/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<i>O'Berry Center</i>				
Samuel Geddie v. O'Berry Center Gale Worrells v. Department of Human Resources, O'Berry Center	96 OSP 0414 96 OSP 1011	Morrison Gray	06/13/96 01/09/97	11:21 NCR 1699
<i>Onslow County Department of Social Services</i>				
Andrew Kent Wigmore v. Onslow County Department of Social Services	96 OSP 1014	Trawick	04/15/97	11:27 NCR 2108
<i>Rockingham County Department of Social Services</i>				
Loretta Lawson v. Rockingham County DSS	96 OSP 0471	West	06/13/96	
<i>Vance County Department of Social Services</i>				
Robert Eugene Davis v. Vance County Department of Social Services	96 OSP 0157	Reilly	10/28/96	
<i>Wake County Department of Social Services</i>				
Phyllis Gilbert v. Wake County Department of Social Services	95 OSP 1238	Phipps	06/27/96	
<i>Wilson County Department of Social Services</i>				
Karen R. Davis v. Wilson County Department of Social Services	96 OSP 0394	Chess	11/01/96	
<i>Department of Insurance</i>				
Larry W. Creech v. Department of Insurance	95 OSP 0631	Reilly	06/06/96	11:07 NCR 434
<i>Department of Justice</i>				
Thomas M. Hughes v. State Bureau of Investigation, Dept. of Justice	95 OSP 0368	Becton	02/28/97	11:24 NCR 1877
<i>Department of Labor</i>				
Kevin P. Kolbe, Sr. v. Department of Labor Sydney Cheryl Sutton v. Department of Labor	95 OSP 0968 95 OSP 1211	Morrison Phipps	03/14/96 02/04/97	11:01 NCR 58
<i>Neuse Mental Health</i>				
Debra Conner v. Neuse Mental Health	97 OSP 0268	Smith	04/28/97	
<i>New Hanover County Board of Health</i>				
Tabandeh Zand v. New Hanover County Board of Health	95 OSP 1035	Smith	03/01/96	
<i>Department of Public Instruction</i>				
Johnny Leak v. Public Schools of NC, Dept. of Public Instruction McLennard Jay v. Person County Schools	96 OSP 0861 96 OSP 0862	Phipps Phipps	09/05/96 09/04/96	
<i>Sandhill Community College</i>				
Earl Levon Womack v. Sandhill Community College Bd. of Trustees	96 OSP 0573	Phipps	07/25/96	
<i>Office of the State Controller</i>				
Angela M. Terry v. Office of the State Controller	96 OSP 0402	Becton	08/07/96	
<i>Tideland Mental Health Center</i>				
Lisa C. Selfridge v. Tideland Mental Health Center	96 OSP 1144	Smith	02/10/97	
<i>Department of Transportation</i>				
Pearlie M. Samuel-Johnson v. Department of Transportation Dorothy J. Grays v. Div. of Motor Vehicles, Dept. of Transportation Bobby R. Mayo v. Department of Transportation James H. Broyhill v. Department of Transportation	94 OSP 0589* ¹ 94 OSP 1044 95 OSP 0561* ¹³ 95 OSP 0673	Gray Reilly Reilly Gray	03/01/96 04/12/96 01/08/97 12/02/96	11:03 NCR 173

* Consolidated cases.

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Bobby R. Mayo v. Department of Transportation	95 OSP 0798* ¹³	Reilly	01/08/97	
Pearlie M. Samuel-Johnson v. Department of Transportation	95 OSP 0837* ¹	Gray	03/01/96	
Lisa Ann Lee v. Department of Transportation	95 OSP 1099	Reilly	07/31/96	
Melvin Duncan v. Department of Transportation	95 OSP 1462	Morrison	03/08/96	
Greg Brown v. Department of Transportation	96 OSP 0048	Reilly	05/02/96	
Jesse Wayne Castle v. State Highway Maint., Guess Rd., Durham, NC	96 OSP 0087	Gray	04/15/96	
Archie Brooks v. W. F. Rosser, Department of Transportation	96 OSP 0239	Smith	05/17/96	
Jessie L. Allen et al. v. DMV Enforcement Section	96 OSP 0408	Becton	08/12/96	
Dwight Odell Graves v. DOT Maintenance, Caswell County	96 OSP 0616	Morrison	10/24/96	
R.L. Singleton v. Department of Transportation	96 OSP 0683	Becton	08/12/96	
William Dean Gilcgewater v. Department of Transportation	96 OSP 0684	Gray	12/13/96	
Shirley Pierce v. DOT/DMV Drivers License	96 OSP 0731	West	03/31/97	
Stephanie Taylor v. Department of Motor Vehicles	96 OSP 0955	Becton	08/29/96	11:13 NCR 1095
James M. Stokes, III v. Department of Transportation	96 OSP 0983	Smith	03/03/97	11:24 NCR 1891
Larry J. Winstead v. Department of Transportation	97 OSP 0060	Becton	03/27/97	
Tri-County Mental Health Complex				
Deborah Heil v. Tri-County Mental Health Complex	95 OSP 1100	Smith	03/22/96	
University of North Carolina				
Gregory Lapicki v. East Carolina University	94 OSP 1721	Reilly	09/26/96	
William C. Neal v. Fayetteville State University	95 OSP 0392	Smith	04/22/96	
Pamela B. Edwards v. University of North Carolina at Chapel Hill	95 OSP 0842	Chess	06/28/96	
Keith R. Cameron v. University of North Carolina at Chapel Hill	95 OSP 1060	Morrison	06/24/96	
Bruce W. Hunt v. Pembroke State University	95 OSP 1288	Becton	12/02/96	
Francina Y. Tate v. Chancellor Julius L. Chambers, NC Central Univ.	95 OSP 1432	Smith	04/22/96	
Renee Lynch v. NC Central University	95 OSP 1461	Smith	10/03/96	11:15 NCR 1255
Jerel H. Bonner v. School of Nursing UNC at Chapel Hill	96 OSP 0026	Gray	03/12/96	11:01 NCR 61
Janice S. Walton v. ASU, Beverly Christian, Joan Critcher, Libby Clawson	96 OSP 0055	West	01/15/97	
Janice S. Walton v. Appalachian St University, Claude Cooper, Bill Ragan	96 OSP 0062	West	03/13/96	
Janice S. Carroll v. Appalachian St University, Claude Cooper, Bill Ragan	96 OSP 0063	West	03/07/96	
Vernell Mitchell v. North Carolina Cooperative Extension	96 OSP 0132	Gray	05/10/96	
Bela E. Karvaly, Ph.D. v. ECU Bd. of Trustees, Ch. Richard R. Eakin	96 OSP 0150	Chess	05/08/96	
Bela E. Karvaly, Ph.D. v. UNC Bd. of Gov., Pres. C.D. Spangler, Jr.	96 OSP 0151	Chess	05/08/96	
Teresa Dail McCaskill v. East Carolina University	96 OSP 0212	Gray	01/10/97	
Carl E. Whigham v. UNC Hospitals at Chapel Hill	96 OSP 0248	Chess	06/11/96	
Gejuan Long v. Winston Salem State University	96 OSP 0253	Gray	01/17/97	
Theresa Louise Whittington v. Appalachian State University	96 OSP 0350	Smith	10/09/96	
Joey M. Carey v. A & T State University	96 OSP 0393	West	10/10/96	
J. Scott Spears v. Ralph Pederson and UNC-C	96 OSP 0548	Chess	08/30/96	
Richard Paul Schneck v. ECU Human Res., Sch. of Med., Psych. Med.	96 OSP 0759	Smith	12/19/96	
Rebecca Williams v. Winston Salem State University	96 OSP 0807	Smith	01/23/97	
Nellie Joyce Ferguson v. UNC Physicians & Assoc., Charles Foskey, Dir.	96 OSP 0977	Phipps	10/02/96	
Kristin K. Parkinson v. Western Carolina University	96 OSP 0987	Becton	10/22/96	
Mae Helen Lewis v. UNC Greensboro - Physical Plant	96 OSP 1000	Reilly	10/21/96	
Frederick A. Parmley v. NCSU Public Safety	96 OSP 1037	Smith	01/14/97	
Donna M. VanHook v. UNC Hospitals at Chapel Hill	96 OSP 1103	Gray	01/29/97	
Tommie Thompson v. UNCG, Physical Plant	96 OSP 1135	Chess	01/29/97	
Harvey Lee Clemons v. North Carolina State University	96 OSP 1426	Reilly	01/16/97	
Lola T. McKnight v. North Carolina Central University	96 OSP 1699	Becton	02/26/97	
Andrew W. Gholson v. North Carolina State University	96 OSP 1730	Reilly	01/15/97	
Wake County Board of Health				
Debbie L. Whitley v. Env. Health Div. Wake Cty. Dept. of Health	96 OSP 1090	Smith	09/05/96	
STATE TREASURER				
Donald B. Durham v. Teachers' & St. Employees Retirement Sys.	92 DST 1066	Chess	07/17/96	11:09 NCR 810
Linda H. Belk v. Bd. of Trustees Teachers & St. Emp Retirement Sys	96 DST 0600	Smith	03/13/97	
Barbara Dauterman v. Teachers' & St. Employees Retirement Sys.	96 DST 0913	Phipps	03/07/97	
Joyce Clyburn v. Dept. of State Treasurer Retirement Systems Division	96 DST 1087	Smith	10/18/96	
James Gregg Judson v. Dept. of State Treasurer Retirement Systems Div.	96 DST 1285	West	04/21/97	
DEPARTMENT OF TRANSPORTATION				
James E. Phillips v. Department of Transportation, Div. of Motor Vehicles	96 DOT 1829	Reilly	12/10/96	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
---------------	--------------------	------------	-------------------------	---

UNIVERSITY OF NORTH CAROLINA

Sylvia Jeffries v. University of NC Hospitals at Chapel Hill	96 UNC 0067	Gray	04/16/96
James E. Boudwin v. University of NC Hospitals at Chapel Hill	96 UNC 0343	Chess	07/22/96
Rufus T. Moore Jr. v. UNC Hospital	96 UNC 0470	Reilly	08/12/96
Marcia Spruill v. UNC Hospitals - Patient Accounts	96 UNC 0500	Becton	07/10/96
Charles E. Houlk v. UNC Hospitals	96 UNC 0588	Morrison	08/09/96

WILDLIFE RESOURCES COMMISSION

Lawrence L. Rouch, III v. Wildlife Resources Commission	96 WRC 1189	Gray	04/24/97
---	-------------	------	----------

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

**IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
96 ABC 2095**

N.C. ALCOHOLIC BEVERAGE CONTROL)
COMMISSION,)
Petitioner,)
)
v.)
)
LARRY'S FAMOUS BAR, INC. T/A LARRY'S)
FAMOUS BAR, 6250 HIGHWAY 15 S.)
DENVER, NC 28037,)
Respondent.)

RECOMMENDED DECISION

This contested case was heard before Meg Scott Phipps, Administrative Law Judge in the Office of Administrative Hearings, on March 5, 1997 in Newton, North Carolina.

APPEARANCES

For Petitioner: Melissa C. Owens, Esq.

For Respondent: Larry Gene Sherrill, *Pro Se*

ISSUES

1. Whether the permittee's employee, Larry Gene Sherrill, committed an assault on the licensed premises on December 14, 1996, in violation of G.S. 18B-1005(a) (3), G.S. 14-33(c) (1) and G.S. 1434.

2. Whether the permittee's employee Larry Gene Sherrill was intoxicated on the licensed premises on December 14, 1996, in violation of ABC Commission Rule 4 NCAC 2S .0212(b).

3. Whether the permittee's employee consumed alcoholic beverages on the licensed premises on December 14, 1996, in violation of ABC Commission Rule 4 NCAC 2S .0212(a).

4. Whether the permittee's employee, Larry Gene Sherrill, unlawfully and intentionally restrained persons without their consent on December 14, 1996, in violation of G.S. 183-1005(a)(3) and North Carolina Common Law.

FINDINGS OF FACT

The undersigned Administrative Law Judge finds the following facts:

1. The Respondent's business, Larry's Famous Bar, Inc., T/A Larry's Famous Bar, is located at 6250 Highway 16 S., Denver, North Carolina.

2. The Respondent holds on-premise Malt Beverage, and off-premise Unfortified Wine and Fortified Wine permits.

3. Mr. Larry Gene Sherrill is a corporate member of Larry's Famous Bar, Inc., the permittee.

4. The ABC Commission has taken the following action against the establishment for ABC violations:

a. Imposed a \$1000.00 fine for Respondent's employee knowingly committing an unlawful act, to wit: receiving stolen goods on the licensed premises on September 22, 1990; and Respondent's employee Larry Sherrill consuming alcoholic beverages and being

intoxicated on the licensed premises on January 6, 1991.

- b. Imposed a 60-day suspension, with the last 15 days suspended upon payment of a \$1000.00 fine for Employee Larry Sherrill consuming and being intoxicated; Respondent's employee possessing nontaxpaid liquor, the possession which was unauthorized by ABC laws; Respondent's employee possessing gambling devices, gambling, and allowing gambling; and Employee Larry Sherrill committing assault with a deadly weapon, all on the licensed premises on July 1, 1995.

5. On December 14, 1996, several employees of Foamex, Inc. leased and held a private Christmas party at Respondent's business.

6. Mr. Larry Sherrill opened the business around 6:00 p.m. and helped the lessees prepare for their party. Mr. Sherrill possessed the keys to the front and back entrances that evening. The only other employee working that night was Ms. Carmella Brown, the bartender.

7. Because this was a private party, the Foamex employees and Mr. Sherrill agreed to lock the front entrance and keep the back door open. Persons were only allowed to enter the front entrance of the business if a Foamex employee told Mr. Sherrill those persons were guests of the party. After that approval was given, Mr. Sherrill would open the front door and allow the guests to enter the business.

8. The front entrance of the business is a double door with windows on the top portions of the doors. There are windows on either side of the double doors. The front door lock is a dead bolt key lock. The back entrance of the business is a single door with a bolt or latch lock, with a pad lock placed over the latch.

9. Mr. and Mrs. Sherrill drank malt beverages continuously throughout the party and in front of the patrons. While Ms. Sherrill would serve herself malt beverages, Mr. Sherrill either served himself or had the bartender serve him malt beverages.

10. Both Mr. and Mrs. Sherrill had slurred speech, glassy eyes, and had a strong odor of alcohol emitting from their persons. Both Mr. and Mrs. Sherrill had difficulty standing and staggered when walking.

11. At approximately 7:30 p.m., guests began arriving at the business. The front door was locked, but the back door was open and guests walked in and out of the business through that door.

12. At approximately 9:30 p.m. that evening, there were roughly 13-15 guests present at the party. Ron Lessa, Margaret Gabriel, and other patrons discovered that both the front and back doors of the business were locked.

13. Several patrons, including Mr. Lessa and Mrs. Gabriel, asked Mr. Sherrill to unlock the doors. Mr. Sherrill refused to unlock the doors, insisting that his wife had called either 911 or ALE, and was informed to keep the doors locked until law enforcement arrived.

14. There was and is no record or documentation that Ms. Sherrill called 911 or ALE that evening. Neither ALE Agent Jay Jackson nor ABC officer Jim Pratt, who were both working that night, received a call from Ms. Sherrill.

15. Mr. Lessa, Mrs. Gabriel, and other guests requested Mr. and Mrs. Sherrill at various times to unlock the doors. However, Mr. and Mrs. Sherrill refused to unlock any doors.

16. Mr. Lessa and Ms. Lori Benfield requested to use the phone on numerous occasions, but the Sherrills refused every time.

17. Around 10:00 p.m., Mr. Lessa attempted to use the phone to call 911. Mr. Sherrill pointed the gun directly at Mr. Lessa and told him to put the phone down.

18. At the same time, Ms. Yvonne Turner attempted to exit the business by crawling through a drive-through window. Mr. Sherrill pulled out a handgun, pointed the handgun directly at Ms. Turner, and yelled for her to get back inside the business.

19. Mr. Sherrill also pointed the handgun at Mrs. Victoria Lessa, Mrs. Margaret Gabriel, Mr. Richard Gabriel, and several other people standing at the end of the bar. Mr. Sherrill staggered around the bar area pointing the handgun at several people for about 10-15 minutes.

20. Ms. Brown, Mr. and Mrs. Ray Hilderbran, and other patrons hid behind the bar while Mr. Sherrill possessed the gun.

21. At approximately 10:10-10:15 p.m., Ms. Patricia Fyfe attempted to enter the business through the front doors, but found the front doors locked. Ms. Fyfe called 911 from her car phone, and remained at the business until ABC Officer Jim Pratt arrived. Ms. Fyfe did not see anyone exit the building while she remained at the business.

22. Within 10-15 minutes, ABC Officer Jim Pratt arrived at the business and convinced Mr. Sherrill to unlock the door. Before unlocking the door, Mr. Sherrill placed his handgun inside a drawer in a table located behind the bar.

23. Before officer Pratt arrived at the business, patrons were restrained inside the business against their will for about 40-45 minutes.

24. Officer Pratt escorted Mr. Sherrill out of the business and placed Mr. Sherrill in his vehicle. Deputy Sheriff M.E. Isenhour inspected the building, finding and seizing a .357 Ruger Security Six handgun from the table drawer where Mr. Sherrill had placed the handgun. The handgun located was fully loaded.

25. ALE Agent Jay Jackson arrived around 10:42 p.m., and conducted an investigation. Agent Jackson first observed and talked with Mr. Sherrill. Agent Jackson smelled a strong odor of alcohol coming from Mr. Sherrill's person, and noticed that Mr. Sherrill had glassy eyes, slurred speech, and difficulty walking.

26. ALE Agent Jackson also administered an alco-sensor test to Mr. Sherrill. The test registered Mr. Sherrill's blood alcohol content level to be a .35.

27. On December 19, 1996, pursuant to G.S. 150B-3(c), the ABC Commission summarily suspended Respondent's ABC permits based upon the above incident. Respondent's ABC permits were suspended pending the administrative hearing and remain suspended as of the date of this decision.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the undersigned Administrative Law Judge makes the following Conclusions of Law:

1. The Office of Administrative Hearings has jurisdiction in this matter.
2. G.S. 183-1005(a) states in pertinent part:

It shall be unlawful for a permittee or his agent or employee to knowingly allow any of the following kinds of conduct to occur on his licensed premises:

- (3) Any violation of the controlled substances, gambling, or prostitution statutes, or any other unlawful acts.
3. G.S. 14-33(c) states in pertinent part:

Unless the conduct is covered under some other provision of law providing greater punishment, any person who commits any assault, assault and battery, or affray is guilty of a Class A1 misdemeanor if, in the course of the assault, assault and battery, or affray, he or she:

- (1) Inflicts serious injury upon another person or uses a deadly weapon.
4. G.S. 14-34 states:

If any person shall point any gun or pistol at any person, either in fun or otherwise, whether such gun or pistol be loaded or not loaded, he shall be guilty of a Class A1 misdemeanor.

5. On December 14, 1996, Respondent's employee, Larry Gene Sherrill, committed an assault on the licensed premises in violation of G.S. 18-1005(a)(3), G.S. 14-33(c)(1), and G.S. 14-34.

6. On December 14, 1996, Respondent's employee, Larry Gene Sherrill, unlawfully and intentionally restrained persons without their consent in violation to G.S. 18B-1005(a)(3) and North Carolina Common Law.

7. ABC Commission Rule 4 NCAC 2S .0212(b) provides that no permittee or his agents or employees shall be or become intoxicated on the licensed premises.

8. On December 14, 1996, Respondent's employee, Larry Gene Sherrill, was intoxicated on the licensed premises in violation of ABC Commission 4 NCAC 2S .0212(b).

9. ABC Commission Rule 4 NCAC 2S .0212(a) provides that no permittee or his employees shall consume alcoholic beverages on the licensed premises except under the following conditions:

- (1) The permittee or employee shall be off duty for the remainder of that day or night during which he consumes any alcoholic beverages;
- (2) The permittee or employee shall be out of uniform when uniforms are required to be worn while performing services; and
- (3) The permittee or employee shall not perform services of any nature while or after consuming alcoholic beverages.

10. On December 14, 1996, Respondent's employee, Larry Gene Sherrill, consumed alcoholic beverages while on duty, on the licensed premises in violation of ABC Commission Rule 4 NCAC 2S .0212(a).

RECOMMENDED DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby recommended that Respondent's ABC permits be revoked.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the office of Administrative Hearings, P.O. Drawer 27447, Raleigh, NC 27611-7447, in accordance with North Carolina General Statute 150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. § 150B-36 (a) .

The agency is required by G.S. § 1503-36 (b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney on record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the N.C. Alcoholic Beverage Control Commission.

This the 21st day of April, 1997.

Meg Scott Phipps
Administrative Law Judge

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

**IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
96 CPS 1211**

MELVIN LEWIS HUNTLEY))	
Petitioner,))	
v.))	RECOMMENDED DECISION
NORTH CAROLINA VICTIMS COMPENSATION))	
COMMISSION))	
Respondent.))	

THIS MATTER came on to be heard before Administrative Law Judge Beecher R. Gray on 3 April 1997 in Charlotte, North Carolina. Petitioner was present and represented by himself. The Respondent was present and represented by Jonathan P. Babb, Assistant Attorney General. The parties stipulated to proper notice and service.

ISSUE

Did the Commission properly deny the Petitioner's claim based on the victim's contributory misconduct?

Based upon the testimony at the hearing and the exhibits, the undersigned makes the following:

FINDINGS OF FACT

1. On the late evening of 15 December 1995 or early morning of 16 December 1995 the victim, Delton Lamont Chisholm was shot and killed by Collie Flowers while riding in a car driven by Telly Springs.
2. Prior to the shooting by Mr. Flowers, Mr. Chisholm shot at Mr. Flowers' car from Mr. Spring's car.
3. The police investigation revealed that the witnesses stated Mr. Chisholm had fired at Mr. Flowers' car prior to Mr. Flowers shooting and killing Mr. Chisholm.
4. There was gunshot residue on Mr. Chisholm's hands as shown by the crime lab report (Respondent's Exhibit #1).
5. Mr. Ronald Moore testified for Petitioner and stated that he did not see Mr. Chisholm fire a gun on 15 December 1995. However, the statement he gave to the Charlotte Police Department repeatedly states that Mr. Chisholm admitted to Mr. Moore that he shot at Mr. Flowers' car. (Respondent's Exhibit #3).
6. Investigator R. Williams of the Charlotte Police Department testified that the police investigation revealed powder residue on the hood/front windshield of Mr. Spring's car and a bullet groove on the hood of Mr. Spring's car. This physical evidence was consistent with witness statements that Mr. Chisholm leaned out of the front passenger window and fired three or four shots at Mr. Flowers' car.

Based upon the foregoing Findings of Fact, the undersigned makes the following:

CONCLUSIONS OF LAW

N.C. Gen. Stat. § 15B-11(b) says that a claim may be denied or reduced upon a finding of contributory misconduct. The test is two-pronged, that is (1) was there misconduct on the part of Petitioner and, if so, (2) was that misconduct a proximate cause of the injury? McCrimmon v. Crime Victims Comp. Commission, 121 N.C. App. 144, 465 S.E. 2d 28 (1995).

Mr. Chisholm engaged in contributory misconduct by firing a gun at the car driven by Mr. Flowers before Mr. Flowers shot and killed Mr. Chisholm. In addition, this conduct was criminal activity which also bars the Petitioner's claim pursuant to N.C. Gen. Stat. § 15B-11(a)(6).

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned makes the following:

RECOMMENDED DECISION

The Commission's decision to deny the Petitioner crime victim's compensation should be affirmed.

ORDER

It is hereby ordered that the agency making the final decision in this matter serve a copy of the final decision to the Office of Administrative Hearings, P. O Drawer 27447, Raleigh, North Carolina 27611-7447, in accordance with N.C. Gen. Stat. § 150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. N. C. Gen. Stat. § 150B-36(a).

The agency is required by N.C. Gen. Stat. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record and to the Office of Administrative Hearings. The agency that will make the final decision in this case is the North Carolina Crime Victims Compensation Commission.

This the 15th day of April 1997.

Beecher R. Gray
Administrative Law Judge

STATE OF NORTH CAROLINA

COUNTY OF EDGECOMBE

**IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
96 EHR 0649**

R.H. MOHESKY AND CLOVER M. FARMS, INC.,)
Petitioner,)
)
v.)
)
NORTH CAROLINA DEPARTMENT OF)
ENVIRONMENT, HEALTH, AND NATURAL)
RESOURCES, DIVISION OF ENVIRONMENTAL)
MANAGEMENT)
Respondent.)

RECOMMENDED DECISION

This matter was heard before the undersigned Administrative Law Judge in Raleigh, North Carolina on November 14, 1996.

APPEARANCES

For Petitioner: Walter L. Hinson, P.O. Box 7479, Wilson, North Carolina.

For Respondent: Jill B. Hickey, Assistant Attorney General, N.C. Department of Justice, Raleigh, North Carolina.

ISSUES

Whether the Respondent, in assessing a civil penalty against Petitioner in the amount of \$4299.15 for the discharge of animal waste to the waters of the State on November 15, 1995, exceeded its authority or jurisdiction, acted erroneously, failed to use proper procedure, acted arbitrarily or capriciously, or failed to act as required by law or rule.

STATUTES AND RULES INVOLVED

N.C. Gen. Stat. §143-215.1
N.C. Gen. Stat. §143-212(6)
N.C. Gen. Stat. §143-215.6A
N.C. Gen. Stat. §143B-282.1(b)
N.C. Gen. Stat. §143-215.3(a)(9)
15A NCAC 2H .0217

EXHIBITS

The following exhibits offered by the Respondent were received in evidence:

- R1 United States Department of the Interior Geological Survey Contour Map of the Pinetops Quadrangle
- R2 Animal Feedlot Operations Site Visitation Record, dated 8/4/95
- R3 Management Deficiency Notification, dated August 14, 1995
- R4 Response by Petitioner to Management Deficiency Notification, dated September 11, 1995
- R5 Animal Feedlot Operations Site Visitation Record, dated 11/15/95
- R6 Civil Penalty Assessment Cover Letter dated May 9, 1996, Assessment document signed on 5/7/95, and Receipt for Certified Mail

- R7 Civil Penalty Assessment Factors Checklist, dated 5/7/95
- R8 Aerial Photograph of Petitioner's Hog Farm
- R9 Photograph of Petitioner's Hog Farm, taken 11/15/95
- R10 Photograph of Petitioner's Hog Farm, taken 11/15/95
- R11 Photograph of Petitioner's Hog Farm, taken 11/15/95
- R12 Photograph of Petitioner's Hog Farm, taken 11/15/95
- R13 Photograph of Petitioner's Hog Farm, taken 11/15/95
- R14 Civil Penalty Assessment for Petitioner's Conetoe Hog Farm in Edgecombe County, dated February 28, 1996, including Cover Letter dated March 6, 1996
- R15 Natural Resources Conservation Service Conservation Practice, Waste Utilization, Code 633
- R16 Natural Resources Conservation Service Conservation Practice, Nutrient Management, Code 590

The following exhibits offered by Petitioner were received into evidence:

- 1. Memorandum to Steve Tedder from Eric Fleek, dated November 28, 1995, 11 pages
- 2. Receipts from Brock Tractor Co. and Service Center dated 10/6/95 and 10/3/95; Lease Agreement dated 8-30-95; Equipment Usage Log; and Weekly Rental Rates on Agitator
- 3. Photographs of Petitioner's Hog Farm taken on 11/13/96

Based upon the official documents in the file, sworn testimony of the witnesses, and other competent and admissible evidence, the undersigned makes the following:

FINDINGS OF FACT

- 1. Petitioner owns and operates a hog farm on SR 1126 in Edgecombe County ("SR 1126 hog farm").
- 2. An intermittent, unnamed tributary of Corn Creek is located on a portion of Petitioner's SR 1126 hog farm.
- 3. On August 4, 1995, Eric Fleek of the Division of Water Quality (DWQ) inspected Petitioner's SR 1126 hog farm and observed that the waste lagoon had an inadequate amount of freeboard.
- 4. Respondent notified Petitioner on August 14, 1996 that he needed to take immediate corrective action to increase the amount of freeboard in order to prevent discharges to the surface waters of the State.
- 5. A.B. Whitley, District Conservationist with the Edgecombe County Natural Resources Conservation Service (NRCS), met with Petitioner at his SR1126 hog farm in mid-August, 1995 in order to assess the storage capacity of the waste lagoon. Mr. Whitley determined that excessive amounts of sludge had accumulated on the bottom of the lagoon, which diminished the storage capacity of the lagoon.
- 6. Between September 22 and September 29, 1995, Petitioner removed large amounts of sludge from the waste lagoon and deposited it on a field down gradient from the lagoon.
- 7. On November 9, 1995 NRCS District Conservationist A.B. Whitley returned to Petitioner's SR 1126 hog farm and observed a large amount of animal waste laying on the field and the runoff of animal waste from this area into the tributary of Corn Creek flowing off Petitioner's property.

8. On November 15, 1995 DWQ inspector Eric Fleek returned to Petitioner's SR 1126 hog farm, along with NRCS District Conservationist Whitley, and observed and photographed the area of Petitioner's farm upon which Petitioner had deposited the sludge from his lagoon. The sludge was applied, four to six inches deep, over an area of several hundred square feet. Mr. Fleek and Mr. Whitley observed the runoff of animal waste from the area upon which the sludge had been applied to the tributary to Corn Creek, flowing off of Petitioner's property.

9. In assessing the civil penalty against Petitioner, Respondent considered each of the factors listed in N.C. Gen. Stat. §143B-282.1, as required by N.C. Gen. Stat. §143-215.6A.

10. Respondent had previously assessed a civil penalty of \$4,338.00 against Petitioner for constructing a conveyance for the willful discharge of pollutants from his Conetoe farm in Edgecombe County on February 28, 1996.

Based on the foregoing Findings of Fact, the undersigned Administrative Law Judge makes the following:

CONCLUSIONS OF LAW

1. Pursuant to N.C. Gen. Stat. §143-215.1 Petitioner must obtain a permit from Respondent for the operation of the treatment and disposal system for animal waste at the SR 1126 hog farm.

2. Pursuant to 15A NCAC 2H .0217, Petitioner is deemed to hold the water quality permit required by N.C. Gen. Stat. §143-215.1 for the SR 1126 hog farm.

3. The permit Petitioner is deemed to hold pursuant to 15A NCAC 2H .0217 requires that there be no discharges of animal waste to the waters of the State.

4. 15A NCAC 2H .0217 requires that animal waste management systems be operated so that animal waste does not reach the surface waters by runoff, drift, direct application or direct discharge.

5. Waters in the unnamed tributary to Corn Creek, which is located on Petitioner's SR 1126 hog farm, constitute waters of the State within the meaning of N.C. Gen. Stat. §143-212(6).

6. There were discharges of animal waste from Petitioner's SR 1126 hog farm to the waters of the State on November 9, 1995 and on November 15, 1995.

7. The discharges to the waters of the State violate 15A NCAC 2H .0217 and the terms of the permit Petitioner is deemed to hold pursuant to 15A NCAC 2H .0217.

8. Pursuant to N.C. Gen. Stat. §143-215.6A, Respondent is authorized to assess a civil penalty against any person who violates the terms of a permit issued pursuant to N.C. Gen. Stat. §143-215.1 and any person who violates a rule of the Commission implementing Part 1 of Article 21.

9. Petitioner violated the terms of the permit it was "deemed" to hold pursuant to 15A NCAC 2H .0217 and it also violated 15A NCAC 2H .0217, a rule of the Commission implementing Part 1 of Article 21 of the General Statutes.

10. Pursuant to N.C. Gen. Stat. §143-215.6A, Respondent is authorized to assess a civil penalty of up to \$10,000 per day for each day the violation occurred.

11. In arriving at the amount of the penalty, Respondent properly considered the factors set forth in N.C. Gen. Stat. §143B-282.1, as required by N.C. Gen. Stat. §143-215.6A.

12. Pursuant to N.C. Gen. Stat. §§143-215.6A and 143B-282.1(b)(8), Respondent is authorized to include the cost to the State of enforcement procedures in the amount of the penalty. Pursuant to § 143-215.3 (a)(9), Respondent may assess the reasonable costs of any investigation or inspection which revealed the violation.

13. The costs to the State of \$299.15 for enforcement are reasonable.

14. In assessing a civil penalty of \$4299.15 against Petitioner for the discharge of animal waste to the waters of the State on November 15, 1995, Respondent acted properly in all respects. Respondent did not exceed its authority or jurisdiction, act erroneously, fail to use proper procedure, act arbitrarily or capriciously, or fail to act as required by law or rule.

RECOMMENDED DECISION

The North Carolina Environmental Management Commission will make the Final Decision in this contested case. It is recommended that the agency adopt the Findings of Fact and Conclusions of Law set forth above and affirm the decision of the Director of the Division of Water Quality to penalize Petitioner \$4299.15 for the discharge of animal waste to the waters of the State on November 15, 1995.

ORDER

It is hereby ordered that the agency serve a copy of the Final Decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, N.C. 27611-7447, in accordance with N.C. Gen. Stat. §150B-36(b).

NOTICE

Before the North Carolina Environmental Management Commission makes the FINAL DECISION, it is required by N.C. Gen. Stat. §150B-36(a) to give each party an opportunity to file exceptions to this RECOMMENDED DECISION, and to present written arguments to those in the agency who will make the final decision.

The agency is required by N.C. Gen. Stat. §150B-36(b) to serve a copy of the FINAL DECISION on all parties and to furnish a copy to the parties' attorney of record.

This the 28th day of April, 1997.

Fred G. Morrison, Jr.
Senior Administrative Law Judge

STATE OF NORTH CAROLINA
COUNTY OF CARTERET

**IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
96 EHR 0846**

JOEL B. PATTERSON,)
Petitioner,)
v.)
DEPARTMENT OF ENVIRONMENT, HEALTH,)
AND NATURAL RESOURCES,)
Respondent.)

RECOMMENDED DECISION

This matter came on for hearing before the undersigned administrative law judge on March 13, 1997, in Beaufort.

The petitioner appeared *pro se*. The respondent was represented by Ms. Elizabeth J. Weese. The respondent presented two witnesses and introduced Exhibits A and C. The petitioner submitted a copy of the October 31, 1986, improvement permit on April 4, 1997. The respondent submitted Proposed Findings of Fact on April 14, 1997.

ISSUES

Did the respondent properly require the petitioner to apply for a new improvement permit?

Did the respondent properly deny petitioner's application for the new improvement permit?

FINDINGS OF FACT

1. Respondent is authorized to administer and enforce the provisions of GS Chapter 130A and the rules adopted by the Commission for Health Services regulating wastewater systems.

2. The Commission has adopted 15A NCAC 18A regulating wastewater systems.

3. When authorized by the respondent, local health department sanitarians act as agents of the respondent when enforcing laws and rules concerning wastewater systems.

4. On May 30, 1996, the petitioner applied to the Carteret County Health Department for an improvement permit to install a ground absorption wastewater system for a two bedroom house to be constructed on his property located at Lot 282, Block 5, Section I, Seagate Subdivision in Carteret County.

5. On June 12, 1996, an authorized sanitarian with the Carteret County Health Department performed an evaluation of the soil on the petitioner's lot to determine its suitability for a ground absorption wastewater system in accordance with current laws and rules.

6. The sanitarian made auger borings of the soil from which he obtained soil samples to determine the suitability of the soil for on-site sewage treatment and disposal.

7. It was determined that (1) soil wetness was less than 12" below the naturally occurring *1 surface, (2) the soil structure was massive and (3) fill material requirements were not met. The lot did not satisfy current requirements for issuance of an improvement permit.

8. Poor drainage was a limiting factor which could not be overcome because of the presence of Group III and IV soils.

9. Soil wetness conditions preclude the installation of a modified or alternative wastewater system.

10. The petitioner had applied for and received an improvement permit for the same property from the Carteret County Health Department on October 31, 1986.

11. The Carteret County Health Department had informed the petitioner that his 1986 improvement permit had expired. Therefore, he applied for a new improvement permit on May 30, 1996. Local rules effective in 1986 provided that improvement permits were valid for three years.

CONCLUSIONS OF LAW

1. G.S. 130A-335(f), as written by 1983 Session Laws 891, s. 2, provided that "permits shall be valid for a period prescribed by the rules. . . ." Renewal applications had to comply with current rules.

2. 1989 Session Laws 764, s. 7 provided that "improvement permits shall be valid for a period of five years....." Compliance with current rules was still required.

3. 1995 Session Laws Chapter 285, s. I provided that "improvement permits shall be valid without expiration. . . ." However, there were conditions: (1) site and soil conditions must be unaltered, (2) wastewater flow and characteristics must not have increased and (3) "a wastewater system can be installed that meets the permitting requirements in effect on the date the improvement permit was issued."

4. The petitioner's improvement permit expired October 31, 1989 - three years after it was issued. A new application was required. The petitioner's lot was required to satisfy current requirements for renewal of his improvement permit.

5. The petitioner's lot did not satisfy the current requirements for renewal of his improvement permit. Therefore, the respondent properly denied the May 30, 1996, application for an improvement permit.

RECOMMENDED DECISION

It is recommended that the denial of the petitioner's 1996 application for an improvement permit be upheld.

NOTICE

The Department of Environment, Health and Natural Resources will make the final agency decision. It will give each party the opportunity to file exceptions to this recommended decision and to present written arguments. The agency will serve a copy of the final decision on all parties, the attorneys of record and the Office of Administrative Hearings.

This the 22nd day of April, 1997.

Robert Roosevelt Reilly, Jr.
Administrative Law Judge

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Practicing Psychologists	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Practicing Psychologists	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.



CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
			Action	Date					

This index provides information related to notices, rules and other documents published in the Register. The information provided below includes notices and rules published on or after December 1, 1995 and will be cumulative through March 1997. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE LICENSING BOARD

21 NCAC 01 .0101	11:18 NCR 1368	10:22 NCR 2860	Temp. Expired						
21 NCAC 01 .0301		10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0702		10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0703		10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0704		10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0705	10:17 NCR 2228	10:22 NCR 2834	*	Approve	04/18/96	*			
21 NCAC 01 .0706		10:16 NCR 2027	*	Approve	02/20/97	*			
21 NCAC 01 .0707		10:16 NCR 2027	*	Approve	02/20/97	*			
21 NCAC 01 .0709	10:17 NCR 2228	10:22 NCR 2834	*	Approve	04/18/96	*			
21 NCAC 01 .0710		10:16 NCR 2027	*	Approve	01/16/97	*			
21 NCAC 01 .0711		10:16 NCR 2027	*	Approve	01/16/97	*			
ADMINISTRATIVE HEARINGS									
Hearings Division									
26 NCAC 03 .0301	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96				
26 NCAC 03 .0302	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96				
26 NCAC 03 .0303	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96				
26 NCAC 03 .0304	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96				
26 NCAC 03 .0305	11:03 NCR 110	11:09 NCR 588	*	Approve	10/17/96				
Rules Division									
26 NCAC 02C	11:19 NCR 1413	11:13 NCR 1058	*	Approve	12/19/96				
26 NCAC 02C .0102	11:09 NCR 570	11:13 NCR 1058	*	Approve	12/19/96	*			
26 NCAC 02C .0103	11:09 NCR 570	11:13 NCR 1058	*	Approve	12/19/96				
26 NCAC 02C .0111	11:09 NCR 570	11:13 NCR 1058	*	Approve	12/19/96				
26 NCAC 02C .0307	11:09 NCR 570	11:13 NCR 1058	*	Approve	12/19/96	*			

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings*	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
ADMINISTRATION										
1 NCAC 39 .0101	10:16A NCR 1672		11:13 NCR 1058	*	Approve	12/19/96	*			Codified
1 NCAC 39 .0201	10:16A NCR 1672		11:13 NCR 1058	*	Approve	12/19/96	*			Codified
State Building Commission										
1 NCAC 30G .0101		11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97				
1 NCAC 30G .0102		11:04 NCR 194	11:19 NCR 1414	*	Object	03/20/97				
1 NCAC 30G .0103		11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97	*			
1 NCAC 30G .0104		11:04 NCR 194	11:19 NCR 1414	S/L	Object	03/20/97				
1 NCAC 30G .0105		11:04 NCR 194	11:19 NCR 1414	S/L	Approve	03/20/97				
AGRICULTURE										
2 NCAC 09C .0701	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*	Approve	12/19/96				Codified
2 NCAC 09C .0702	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*	Approve	12/19/96				Codified
2 NCAC 09C .0704	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*	Approve	12/19/96				Codified
2 NCAC 48A .0206	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Ext. Review	12/19/96				
2 NCAC 48A .0211	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	01/16/97	*			
2 NCAC 48A .0214	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Ext. Review	12/19/96				
2 NCAC 48A .1103	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	01/16/97	*			
2 NCAC 48A .1110	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	01/16/97	*			
2 NCAC 48B .0112	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	12/19/96				
2 NCAC 48B .0114	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	12/19/96				
2 NCAC 48B .0119	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	12/19/96				
2 NCAC 48B .0120	10:24 NCR 3056	11:06 NCR 324	11:06 NCR 324	*	Approve	12/19/96				
2 NCAC 52A .0004		11:27 NCR 2053								
2 NCAC 52A .0005		11:27 NCR 2053								
2 NCAC 52A .0006		11:27 NCR 2053								
2 NCAC 52A .0007		11:27 NCR 2053								

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Approved Rule	Other
----------------------	-------------------------	----------------	----------------	-------------	------------	----------------------------	---------------	-------

2 NCAC 52A.0008								
2 NCAC 52A.0009	11:27 NCR 2053							
2 NCAC 52B.0201	10:24 NCR 3056	11:06 NCR 324	*		Approve		12/19/96	
2 NCAC 52B.0212	11:14 NCR 1107	11:22 NCR 1709	*					Codified
2 NCAC 52B.0303	11:14 NCR 1107	11:22 NCR 1709	*					
2 NCAC 52C.0701	11:14 NCR 1107	11:22 NCR 1709	*					
2 NCAC 52D.0001	11:27 NCR 2053							
Marketing Authority								
2 NCAC 43F.0003	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43H.0001	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43H.0007	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43L.0202	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43L.0401	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43L.0402	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43L.0403	11:14 NCR 1107	11:22 NCR 1706	*					
2 NCAC 43L.0405	11:14 NCR 1107	11:22 NCR 1706	*					
Plant Conservation Board								
2 NCAC 48F.0301	11:07 NCR 407	11:11 NCR 883	*		Approve		03/20/97	
2 NCAC 48F.0302	11:07 NCR 407	11:11 NCR 883	*		Approve		03/20/97	
2 NCAC 48F.0304	11:07 NCR 407	11:11 NCR 883	*		Approve		03/20/97	
2 NCAC 48F.0305	11:07 NCR 407	11:11 NCR 883	*		Approve		03/20/97	*
2 NCAC 48F.0306	11:07 NCR 407	11:11 NCR 883	*		Approve		03/20/97	*
Structural Pest Control								
2 NCAC 34.0503		11:21 NCR 1651						
2 NCAC 34.0602		11:21 NCR 1651						
2 NCAC 34.0604		11:21 NCR 1651						
2 NCAC 34.0605		11:21 NCR 1651						
AUCTIONEERS LICENSING BOARD								
21 NCAC 04B.0202	11:18 NCR 1368						11:28 NCR 2129	*

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Approved Rule	Other
COMMERCE								
4 NCAC 01E	11:09 NCR 569							
4 NCAC 01F	11:09 NCR 569							
4 NCAC 01H	11:09 NCR 569							
4 NCAC 01I	11:09 NCR 569							
4 NCAC 01J	11:09 NCR 569							
4 NCAC 01K	11:09 NCR 569							
Community Assistance								
4 NCAC 01K .0501	11:09 NCR 569					*		
4 NCAC 01K .0502	11:09 NCR 569					*		
4 NCAC 01K .0503	11:09 NCR 569					*		
4 NCAC 01K .0504	11:09 NCR 569					*		
4 NCAC 01K .0505	11:09 NCR 569					*		
4 NCAC 01K .0506	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0401	11:09 NCR 569					*		
4 NCAC 19L .0403	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0404	11:09 NCR 569					*		
4 NCAC 19L .0407	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0501	11:09 NCR 569					*		
4 NCAC 19L .0502	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0505	11:09 NCR 569					*		
4 NCAC 19L .0706	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0707	11:09 NCR 569					*		
4 NCAC 19L .0708	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0802	11:09 NCR 569					*		
4 NCAC 19L .0805	11:09 NCR 569					11:14 NCR 1113		
4 NCAC 19L .0901	11:09 NCR 569					*		
4 NCAC 19L .0906	11:09 NCR 569					*		
4 NCAC 19L .0907	11:09 NCR 569					*		
4 NCAC 19L .0911	11:09 NCR 569					11:14 NCR 1113		

CUMULATIVE INDEX (April 1996 - June 1997)

CUMULATIVE INDEX
 (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
4 NCAC 13B .0002		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13B .0003		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13B .0004		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13B .0005		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13C .0001		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13D .0101		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0101		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0102		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0103		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0201		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0202		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0301		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0302		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0401		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0402		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0403		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0404		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0405		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0501		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0502		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0601		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0602		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0603		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0701		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0702		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0801		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0803		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0901		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13E .0902		10:24 NCR 3056			11:13 NCR 1040	*			
4 NCAC 13F .0301		10:24 NCR 3056			11:13 NCR 1040	*			

CUMULATIVE INDEX (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
		Action	Date	Action	Date				
COMMUNITY COLLEGES									
4 NCAC 13F .0302	10:24 NCR 3056		11:13 NCR 1040	*					
23 NCAC 01A .0001	11:18 NCR 1369		11:25 NCR 1919		Approve	01/16/97	11:22 NCR 1717	Notice Not Required	
23 NCAC 01B .0001					Approve	01/16/97	11:22 NCR 1717	Notice Not Required	
23 NCAC 01B .0004					Approve	01/16/97	11:22 NCR 1717	Notice Not Required	
23 NCAC 01B .0005					Approve	01/16/97	11:22 NCR 1717	Notice Not Required	
23 NCAC 01B .0008					Approve	01/16/97	11:22 NCR 1717	Notice Not Required	
23 NCAC 02C .0108	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02C .0202	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02C .0207	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02C .0304					Object	01/16/97	11:24 NCR 1832	Notice Not Required	
23 NCAC 02C .0305	11:18 NCR 1369		11:25 NCR 1919		Approve	02/20/97	*		
23 NCAC 02C .0604	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02C .0701	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0103	11:18 NCR 1369		11:25 NCR 1919		Approve	01/16/97	11:22 NCR 1717	Notice Not Required	
23 NCAC 02D .0104									
23 NCAC 02D .0201	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0202	11:17 NCR 1336		11:25 NCR 1919						
23 NCAC 02D .0202	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0203	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0301	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0323	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0324	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02D .0325	10:24 NCR 3058		11:09 NCR 585	*	Approve	11/21/96	*	Codified	
23 NCAC 02D .0327	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02E .0101	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02E .0102	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02E .0201	11:18 NCR 1369		11:25 NCR 1919						
23 NCAC 02E .0203	10:24 NCR 3058		11:09 NCR 585	*	Object	01/16/97			
					Approve	02/20/97	*		

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
23 NCAC 02E .0203	11:18 NCR 1369		11:25 NCR 1919							
23 NCAC 02E .0204	11:18 NCR 1369		11:25 NCR 1919							
23 NCAC 02E .0205	11:18 NCR 1369		11:25 NCR 1919							
23 NCAC 02E .0501	11:18 NCR 1369		11:25 NCR 1919							
23 NCAC 02E .0604	11:18 NCR 1369		11:25 NCR 1919							
23 NCAC 03A .0113	10:24 NCR 3058			11:09 NCR 585	*		Approve	11/21/96	*	Codified
CRIME CONTROL & PUBLIC SAFETY										
14A NCAC 07 .0313	11:24 NCR 1818									
CULTURAL RESOURCES										
USS North Carolina Battleship Commission										
7 NCAC 05 .0202	10:18 NCR 2398			11:04 NCR 188	*		Approve	12/19/96		Codified
7 NCAC 05 .0203	10:18 NCR 2398			11:04 NCR 188	*		Approve	12/19/96		Codified
7 NCAC 05 .0203				11:19 NCR 1436						
7 NCAC 05 .0204	10:18 NCR 2398			11:04 NCR 188	*		Approve	12/19/96		Codified
7 NCAC 05 .0207	10:18 NCR 2398			11:04 NCR 188	*		Approve	12/19/96		Codified
DENTAL EXAMINERS										
21 NCAC 16B .0303	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 161 .0001	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 161 .0002	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 161 .0003	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 161 .0004	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 161 .0005	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 161 .0006	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 16M .0001	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 16M .0003	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 16R .0001	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 16R .0002	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 16R .0003	11:20 NCR 1538				11:25 NCR 1915	*				
21 NCAC 16R .0004	11:20 NCR 1538				11:25 NCR 1915	*				

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16V .0101	10:16 NCR 2043						11:20 NCR 1556 *			Notice Subject Matter
21 NCAC 16V .0102	10:16 NCR 2043						11:20 NCR 1556 *			Notice Subject Matter

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

15A Public Notice										
15A Public Notice										
15A NCAC 01M .0101										
15A NCAC 01M .0101										
15A NCAC 01M .0102										
15A NCAC 01M .0102										
15A NCAC 01M .0201										
15A NCAC 01M .0201										
15A NCAC 01M .0202										
15A NCAC 01M .0202										
15A NCAC 01M .0301										
15A NCAC 01M .0301										
15A NCAC 01M .0302										
15A NCAC 01M .0302										
15A NCAC 01M .0303										
15A NCAC 01M .0303										
15A NCAC 01M .0304										
15A NCAC 01M .0304										
15A NCAC 01M .0305										
15A NCAC 01M .0305										
15A NCAC 01M .0306										
15A NCAC 01M .0306										
15A NCAC 07H .0104										
15A NCAC 07H .0104										
Coastal Resources Commission										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07	*									
15A NCAC 07										
15A NCAC 09	11:07 NCR 409									
15A NCAC 09	*									
15A NCAC 09										
Object										
11/21/96										

11:09 NCR 575
11:09 NCR 575
11:09 NCR 575
11:09 NCR 575

CUMULATIVE INDEX
 (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 0711.0106	10:16 NCR 1921				Approve	12/19/96	*			11:20 NCR 1569
15A NCAC 0711.0106	11:19 NCR 1408				Approve	09/19/96	*			Notice Subject Matter Codified
15A NCAC 0711.0201	11:22 NCR 1704									
15A NCAC 0711.0202	11:22 NCR 1704									
15A NCAC 0711.0203	11:22 NCR 1704									
15A NCAC 0711.0204	11:22 NCR 1704									
15A NCAC 0711.0205	11:22 NCR 1704									
15A NCAC 0711.0206	11:22 NCR 1704									
15A NCAC 0711.0207	11:22 NCR 1704									
15A NCAC 0711.0208	11:22 NCR 1704									
15A NCAC 0711.0208	11:04 NCR 183									
15A NCAC 0711.0208	11:19 NCR 1408									
15A NCAC 0711.0304	10:24 NCR 3045									
15A NCAC 0711.0304	11:15 NCR 1200									
15A NCAC 0711.0305	11:15 NCR 1200									
15A NCAC 0711.0306	11:04 NCR 183									
15A NCAC 0711.0309	11:08 NCR 442									
15A NCAC 0711.1104	11:04 NCR 183									
15A NCAC 0711.1202	11:04 NCR 183									
15A NCAC 0711.1204	11:04 NCR 183									
15A NCAC 0711.1205	11:04 NCR 183									
15A NCAC 0711.1304	11:04 NCR 183									
15A NCAC 0711.1404	11:04 NCR 183									
15A NCAC 0711.1504	11:04 NCR 183									
15A NCAC 0711.1600	11:15 NCR 1200									
15A NCAC 0711.1601	11:15 NCR 1200									
15A NCAC 0711.1604	11:15 NCR 1200									
15A NCAC 0711.1605	11:15 NCR 1200									
15A NCAC 0711.1704	11:04 NCR 183									

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 07H .1804	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07H .1904	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07H .2004	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07H .2104	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07I .0102	10:24 NCR 3045				11:04 NCR 190	*				
15A NCAC 07K .0203	11:04 NCR 183				11:11 NCR 907	*				
15A NCAC 07M .0301	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0302	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0303	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0304	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0305	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0306	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0307	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07N .0308	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0309	10:16B NCR 1921				11:11 NCR 907	*				
15A NCAC 07M .0401	10:18 NCR 2317				11:11 NCR 931	*				
15A NCAC 07M .0402	10:18 NCR 2317				11:11 NCR 931	*				
15A NCAC 07M .0403	10:18 NCR 2317				11:11 NCR 931	*				
15A NCAC 07M .1201	11:19 NCR 1408				11:27 NCR 2058	*				
15A NCAC 07N .1202	11:19 NCR 1408				11:27 NCR 2058	*				
Environmental Management Commission										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0101	11:24 NCR 1818									
15A NCAC 02B .0202	11:24 NCR 1818									
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0224	10:18 NCR 2400									
	11:12 NCR 973					*				

CUMULATIVE INDEX
 (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0229	11:03 NCR 109		11:09 NCR 572	*						
15A NCAC 02B .0229	11:24 NCR 1818									
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824	L/S/E						
15A NCAC 02B .0232	11:02 NCR 75		11:14 NCR 1136							
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L						
15A NCAC 02B .0234	11:02 NCR 75		11:14 NCR 1136							
15A NCAC 02B .0235	11:02 NCR 75		11:10 NCR 824							
15A NCAC 02B .0236	11:02 NCR 75		11:14 NCR 1136							
15A NCAC 02B .0237			11:10 NCR 824							
15A NCAC 02B .0303	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0304	11:24 NCR 1818									
15A NCAC 02B .0304			11:26 NCR 1976							
15A NCAC 02B .0304			11:26 NCR 1984							
15A NCAC 02B .0305			11:20 NCR 1534							
15A NCAC 02B .0306			11:26 NCR 1976							
15A NCAC 02B .0306			11:26 NCR 1984							
15A NCAC 02B .0307			11:26 NCR 1976							
15A NCAC 02B .0307			11:26 NCR 1984							
15A NCAC 02B .0308			11:20 NCR 1534							
15A NCAC 02B .0308			11:26 NCR 1976							
15A NCAC 02B .0308			11:26 NCR 1984							
15A NCAC 02B .0309			11:26 NCR 1976							
15A NCAC 02B .0309			11:26 NCR 1984							
15A NCAC 02B .0311			11:26 NCR 1976							

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02B .0311			11:26 NCR 1984							
15A NCAC 02B .0313			11:24 NCR 1818							
15A NCAC 02B .0313			11:26 NCR 1976							
15A NCAC 02B .0313			11:26 NCR 1984							
15A NCAC 02B .0315		11:02 NCR 75			11:09 NCR 572	L	Approve	11/21/96	*	Codified
15A NCAC 02B .0315		11:24 NCR 1818								
15A NCAC 02B .0316		11:20 NCR 1534								
15A NCAC 02B .0316		11:26 NCR 1976								
15A NCAC 02B .0316		11:26 NCR 1984								
15A NCAC 02B .0317		11:26 NCR 1976								
15A NCAC 02B .0317			11:26 NCR 1984							
15A NCAC 02C .0211							Approve	01/16/97		Notice Not Required
15A NCAC 02C .0213							Approve	01/16/97		Notice Not Required
15A NCAC 02C .0214							Approve	01/16/97		Notice Not Required
15A NCAC 02D .0101			11:15 NCR 1200							
15A NCAC 02D .0104			11:15 NCR 1200							
15A NCAC 02D .0105			11:15 NCR 1200							
15A NCAC 02D .0108			11:15 NCR 1200							
15A NCAC 02D .0202			11:15 NCR 1200							
15A NCAC 02D .0302			11:15 NCR 1200							
15A NCAC 02D .0307			11:15 NCR 1200							
15A NCAC 02D .0501			11:15 NCR 1200							
15A NCAC 02D .0518		10:24 NCR 3045			11:08 NCR 472	*	Approve	11/21/96		Codified
15A NCAC 02D .0518		11:19 NCR 1408								
15A NCAC 02D .0521		11:15 NCR 1200								
15A NCAC 02D .0524		10:24 NCR 3045			11:08 NCR 472	*	Approve	11/21/96	*	Codified
15A NCAC 02D .0524		11:15 NCR 1200								
15A NCAC 02D .0525		11:15 NCR 1200								
15A NCAC 02D .0530		10:24 NCR 3045			11:08 NCR 472	*	Approve	11/21/96		Codified

CUMULATIVE INDEX
 (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .0531	11:15 NCR 1200									
15A NCAC 02D .0535	10:18 NCR 2317		11:16 NCR 1271	*	Approve	04/17/97				
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	10:24 NCR 3045									
15A NCAC 02D .0902	11:19 NCR 1408									
15A NCAC 02D .0907	10:24 NCR 3045									
15A NCAC 02D .0909	10:24 NCR 3045									
15A NCAC 02D .0909	11:19 NCR 1408									
15A NCAC 02D .0910	10:24 NCR 3045									
15A NCAC 02D .0911	10:24 NCR 3045									
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0946	10:24 NCR 3045									
15A NCAC 02D .0948	11:19 NCR 1408									
15A NCAC 02D .0949	11:19 NCR 1408									
15A NCAC 02D .0950	11:19 NCR 1408									
15A NCAC 02D .0951	11:19 NCR 1408									
15A NCAC 02D .0953	11:15 NCR 1200									
15A NCAC 02D .0953	11:26 NCR 1976									
15A NCAC 02D .0954	10:24 NCR 3045									
15A NCAC 02D .0954	11:15 NCR 1200									

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 02D .1005		11:15 NCR 1200								
15A NCAC 02D .1100		11:08 NCR 442								
15A NCAC 02D .1106		11:26 NCR 1976								
15A NCAC 02D .1107		11:15 NCR 1200								
15A NCAC 02D .1110	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*			Codified
15A NCAC 02D .1111	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*			Codified
15A NCAC 02D .1201	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1202	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1203	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1204	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1205	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1206	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1207	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97				
15A NCAC 02D .1208	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97	*			
15A NCAC 02D .1209	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97	*			
15A NCAC 02D .1402	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .1403	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .1500	11:19 NCR 1408									
15A NCAC 02D .1902	11:19 NCR 1408									
15A NCAC 02D .1903	11:19 NCR 1408									
15A NCAC 02D .2200	11:15 NCR 1200									
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02H .0225	11:15 NCR 1200		11:15 NCR 1225		11:20 NCR 1550	*				
15A NCAC 02H .0610	11:08 NCR 442		11:27 NCR 2073		11:27 NCR 2073	*				
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									

CUMULATIVE INDEX
(April 1996 - June 1997)

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Approved Rule	Other
				Action Date	Action Date			
Health Services, Commission for								
15A NCAC 02R .0502			11:27 NCR 2075		11:20 NCR 1552	*	Approve	04/17/97
15A NCAC 02R .0503			11:27 NCR 2075		11:20 NCR 1552	*	Approve	04/17/97
15A NCAC 02R .0504			11:27 NCR 2075		11:20 NCR 1552	*	Approve	04/17/97
NPDES Permits					11:20 NCR 1552	*	Approve	04/17/97
NPDES Permits					11:20 NCR 1552	*	Approve	04/17/97
NPDES Permits					11:20 NCR 1552	*	Approve	04/17/97
15A NCAC 13A .0101	11:16 NCR 1269		11:20 NCR 1552		*	*	Approve	04/17/97
15A NCAC 13A .0105	11:16 NCR 1269		11:20 NCR 1552		*	*	Approve	04/17/97
15A NCAC 13A .0107	11:16 NCR 1269		11:20 NCR 1552		*	*	Approve	04/17/97
15A NCAC 13A .0111	11:16 NCR 1269		11:20 NCR 1552		*	*	Approve	04/17/97
15A NCAC 13A .0112	11:16 NCR 1269		11:20 NCR 1552		*	*	Approve	04/17/97
15A NCAC 13A .0119	11:16 NCR 1269		11:20 NCR 1552		*	*	Approve	04/17/97
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055					
15A NCAC 13B .1800	11:08 NCR 442							
15A NCAC 13B .1800	11:26 NCR 1976		11:06 NCR 357		*		Approve	09/19/96
15A NCAC 13C .0301	10:18 NCR 2317		11:06 NCR 357		*		Object	09/19/96
15A NCAC 13C .0302	10:18 NCR 2317		11:06 NCR 357		*		Approve	11/21/96
15A NCAC 13C .0303	10:18 NCR 2317		11:06 NCR 357		*		Approve	09/19/96
15A NCAC 13C .0304	10:18 NCR 2317		11:06 NCR 357		*		Approve	11/21/96
15A NCAC 13C .0305	10:18 NCR 2317		11:06 NCR 357		*		Approve	09/19/96
15A NCAC 13C .0306	10:18 NCR 2317		11:06 NCR 357		*		Object	09/19/96
15A NCAC 13C .0307	10:18 NCR 2317		11:06 NCR 357		*		Approve	11/21/96
15A NCAC 13C .0308	10:18 NCR 2317		11:06 NCR 357		*		Approve	09/19/96
15A NCAC 18A	11:04 NCR 183		11:12 NCR 987		*		Approve	09/19/96
15A NCAC 18A .0134	11:08 NCR 442		11:12 NCR 987		*		Object	12/19/96
15A NCAC 18A .0134							Approve	01/16/97
								*
								11:22 NCR 1717
								11:22 NCR 1717
								Notice Not Required

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 18A.0136	11:08 NCR 442				*	Approve	12/19/96			Codified
15A NCAC 18A.0137	11:08 NCR 442				*	Approve	12/19/96			Codified
15A NCAC 18A.0159	11:08 NCR 442				*	Approve	12/19/96			Codified
15A NCAC 18A.0168	11:08 NCR 442				*	Object	12/19/96			
15A NCAC 18A.0168						Approve	01/16/97	*		
15A NCAC 18A.0169	11:08 NCR 442				*	Approve	01/16/97			
15A NCAC 18A.0173	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0174	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0175	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0176	11:08 NCR 442				*	Object	12/19/96			
15A NCAC 18A.0182	11:08 NCR 442				*	Approve	01/16/97			
15A NCAC 18A.0182						Object	12/19/96			
15A NCAC 18A.0183	11:08 NCR 442				*	Approve	01/16/97			
15A NCAC 18A.0184	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0185	11:08 NCR 442				*	Object	12/19/96			
15A NCAC 18A.0186	11:08 NCR 442				*	Approve	01/16/97			
15A NCAC 18A.0187	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0301	11:08 NCR 442				*	Object	12/19/96			
15A NCAC 18A.0301						Approve	01/16/97	*		
15A NCAC 18A.0302	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0401	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0421	11:08 NCR 442				*	Object	12/19/96			
15A NCAC 18A.0424	11:08 NCR 442				*	Approve	01/16/97	*		
15A NCAC 18A.0425	11:08 NCR 442				*	Approve	12/19/96			
15A NCAC 18A.0614	11:08 NCR 442				*	Object	12/19/96			
15A NCAC 18A.0614						Approve	01/16/97			
15A NCAC 18A.0615	11:08 NCR 442				*	Approve	01/16/97			
15A NCAC 18A.0616	11:08 NCR 442				*	Approve	12/19/96			

CUMULATIVE INDEX (April 1996 - June 1997)

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 21J.0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*			
15A NCAC 24A.0202		11:24 NCR 1827								
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
Marine Fisheries Commission										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1976									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03I.0101	11:07 NCR 407			11:11 NCR 888	*	Approve	12/19/96	*		
15A NCAC 03I.0105	11:07 NCR 407			11:11 NCR 888	*	Approve	12/19/96	*		
15A NCAC 03I.0107	N/A			N/A		Approve	04/17/97			
15A NCAC 03I.0110	N/A			N/A		Approve	04/17/97			
15A NCAC 03I.0116	N/A			N/A		Approve	04/17/97			
15A NCAC 03I.0117	11:26 NCR 1976	11:26 NCR 2000								
15A NCAC 03I.0019				10:21 NCR 2737	*	Approve	05/16/96	*		
15A NCAC 03I.0104	N/A			N/A		Approve	04/17/97			
15A NCAC 03I.0202	11:07 NCR 407			11:11 NCR 888	*					
15A NCAC 03J.0301	N/A			N/A		Approve	04/17/97			
15A NCAC 03J.0401				10:21 NCR 2688	*	Approve	05/16/96	*		
15A NCAC 03K.0105	N/A			N/A		Approve	04/17/97			
15A NCAC 03K.0204	N/A			N/A		Approve	04/17/97			
15A NCAC 03K.0304	N/A			N/A		Approve	04/17/97			
15A NCAC 03L.0102	11:07 NCR 407			11:11 NCR 888	*					
15A NCAC 03L.0201	11:07 NCR 407			11:11 NCR 888	*	Approve	12/19/96	*		

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 03L.0203	N/A	N/A	N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03L.0205	N/A	N/A	11:11 NCR 938	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03M .0202	11:03 NCR 110		11:14 NCR 1153	11:18 NCR 1371	*				Codified	Notice/Not Required
15A NCAC 03M .0204			N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03M .0401	N/A				Approve	12/19/96			Codified	Notice/Not Required
15A NCAC 03M .0503	11:07 NCR 407				Approve	12/19/96			Codified	Notice/Not Required
15A NCAC 03M .0503			11:18 NCR 1383	11:26 NCR 1988	*				Codified	Notice/Not Required
15A NCAC 03M .0504	11:03 NCR 110		11:11 NCR 938		*				Codified	Notice/Not Required
15A NCAC 03M .0506	11:07 NCR 407		11:14 NCR 1153		*				Codified	Notice/Not Required
15A NCAC 03M .0506			11:18 NCR 1383	11:26 NCR 1988	*				Codified	Notice/Not Required
15A NCAC 03M .0507			11:11 NCR 938	11:26 NCR 1988	*				Codified	Notice/Not Required
15A NCAC 03M .0511	11:03 NCR 110		11:11 NCR 938		*				Codified	Notice/Not Required
15A NCAC 03M .0514			11:18 NCR 1383	11:26 NCR 1088	*				Codified	Notice/Not Required
15A NCAC 03N .0103	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03N .0104	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03N .0105	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03O .0201	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03O .0202	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03O .0205	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03O .0208	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03R .0101	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03R .0102	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03R .0103	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03R .0104	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03R .0105	N/A		N/A	N/A	Approve	04/17/97			Codified	Notice/Not Required
15A NCAC 03R .0106	11:07 NCR 407				*				Codified	Notice/Not Required
15A NCAC 03R .0107	N/A				*				Codified	Notice/Not Required
15A NCAC 03R .0107	11:07 NCR 407				*				Codified	Notice/Not Required

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
Parks and Recreation										
15A NCAC 12B.1206	10:18 NCR 2317		11:12 NCR 985	*	Object	11/21/96	*			Codified
Soil and Water Conservation										
15A NCAC 06E.0102	11:08 NCR 442		11:12 NCR 979	*	Approve	12/19/96				Codified
15A NCAC 06E.0102			11:12 NCR 1004							
15A NCAC 06E.0103	11:08 NCR 442		11:12 NCR 979	*	Approve	12/19/96				Codified
15A NCAC 06E.0105			11:12 NCR 1004							
Water Pollution Control System Operators Certification Commission										
15A NCAC 08A	11:26 NCR 1976									
15A NCAC 08B	11:26 NCR 1976									
15A NCAC 08C	11:26 NCR 1976									
15A NCAC 08D	11:26 NCR 1976									
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F.0101			11:19 NCR 1442		11:28 NCR 2123	*				
15A NCAC 08F.0102			11:19 NCR 1442		11:28 NCR 2123	*				
15A NCAC 08F.0201			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0202			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0203			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0301			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0401			11:19 NCR 1442		11:28 NCR 2123	*				
15A NCAC 08F.0402			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0403			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0404			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0405			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0406			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0407			11:19 NCR 1442		11:28 NCR 2123	\$				
15A NCAC 08F.0501			11:19 NCR 1442		11:28 NCR 2123	*				
15A NCAC 08F.0502			11:19 NCR 1442		11:28 NCR 2123	\$				

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
Wildlife Resources Commission										
15A NCAC 08F .0503		11:19 NCR 1442	11:28 NCR 2123	S						
15A NCAC 08F .0504		11:19 NCR 1442	11:28 NCR 2123	S						
15A NCAC 08F .0505		11:19 NCR 1442	11:28 NCR 2123	S						
15A NCAC 08F .0506		11:19 NCR 1442	11:28 NCR 2123	*						
15A NCAC 10B .0106	11:02 NCR 76	11:08 NCR 495	*		Approve	10/17/96	*			Codified
15A NCAC 10B .0113	11:07 NCR 408	11:12 NCR 983	*		Approve	12/19/96	*			Codified
15A NCAC 10B .0115	11:07 NCR 408	11:12 NCR 984	*		Approve	12/19/96				Codified
15A NCAC 10B .0115	11:11 NCR 882									
15A NCAC 10B .0116	11:12 NCR 959	11:18 NCR 1372	*		Approve	04/17/97				
15A NCAC 10B .0123	11:02 NCR 76	11:08 NCR 495	*		Approve	10/17/96				Codified
15A NCAC 10B .0203	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96	*			Codified
15A NCAC 10B .0208	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96				
15A NCAC 10B .0209	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96				Codified
15A NCAC 10C .0107	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96	*			
15A NCAC 10C .0205	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96	*			Codified
15A NCAC 10C .0305	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96	*			Codified
15A NCAC 10C .0401	11:02 NCR 76	11:07 NCR 408								
15A NCAC 10D .0002	11:02 NCR 76	11:08 NCR 495	*							
15A NCAC 10D .0003	11:02 NCR 76	11:08 NCR 495	*		Approve	11/21/96	*			Codified
15A NCAC 10D .0003	N/A	N/A			Approve	04/17/97				Notice Not Required
15A NCAC 10F .0102	10:19 NCR 2506	11:01 NCR 14	*		Approve	07/18/96	*			Codified
15A NCAC 10F .0103	10:19 NCR 2506	11:01 NCR 14	*		Approve	07/18/96	*			Codified
15A NCAC 10F .0104	10:19 NCR 2506	11:01 NCR 14	*		Approve	08/15/96	*			Codified
15A NCAC 10F .0105	10:19 NCR 2506	11:01 NCR 14	*		Approve	08/15/96	*			Codified
15A NCAC 10F .0106	10:19 NCR 2506	11:01 NCR 14	*		Approve	07/18/96	*			Codified
15A NCAC 10F .0107	10:19 NCR 2506	11:01 NCR 14	*		Approve	07/18/96	*			Codified
15A NCAC 10F .0109	10:19 NCR 2506	11:01 NCR 14	*		Approve	07/18/96	*			Codified
15A NCAC 10F .0300	11:01 NCR 13									

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Category	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
15A NCAC 10F .0302	11.05 NCR 272		11:14 NCR 1150	*	Approve	03/20/97	*			11:26 NCR 2004
15A NCAC 10F .0303	10/24 NCR 3057		11:06 NCR 355	*	Approve	09/19/96				Codified
15A NCAC 10F .0305	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96				Codified
15A NCAC 10F .0307	11:02 NCR 76		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10F .0307	11:08 NCR 451		11:14 NCR 1150	*	Approve	03/20/97	*			11:26 NCR 2004
15A NCAC 10F .0308	11:21 NCR 1638		11:01 NCR 14	*	Approve	07/18/96				Codified
15A NCAC 10F .0310	10/19 NCR 2506		11:06 NCR 355	*	Approve	09/19/96				Codified
15A NCAC 10F .0310	10:24 NCR 3057		11:19 NCR 1427	*	Approve	04/17/97				Codified
15A NCAC 10F .0317	11:13 NCR 1039		11:20 NCR 1551	*	Approve	04/17/97				Codified
15A NCAC 10F .0327	11:14 NCR 1109		11:19 NCR 1427	*	Approve	04/17/97				Codified
15A NCAC 10F .0339	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97				Codified
15A NCAC 10F .0339	11:21 NCR 1638		11:01 NCR 14	*	Withdrawn/Asgy	07/18/96				Codified
15A NCAC 10F .0342	10/19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*			Codified
15A NCAC 10F .0348	10.19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*			Codified
15A NCAC 10F .0355	11:25 NCR 1905									
15A NCAC 10F .0367	11:16 NCR 1269									
15A NCAC 10G	11:01 NCR 13									
15A NCAC 10G .0100	11:02 NCR 76		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0102	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0103	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0202	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0203	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0206	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0302	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0303	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0401	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96				Codified
15A NCAC 10G .0402	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*			Codified
15A NCAC 10G .0403	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*			Codified
15A NCAC 10G .0404	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*			Codified
15A NCAC 10G .0501	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*			Codified

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
----------------------	-------------------------	----------------	----------------	-------------	------------	----------------------------	-----------------------	---------------	-------

15A NCAC 101.0001	10/22 NCR 2829		11/04 NCR 191	*	Approve	09/19/96			Codified
15A NCAC 101.0002	11/02 NCR 76		11/08 NCR 495	*	Approve	10/17/96	*		Codified
Wildlife Proclamation									11:03 NCR 104
Wildlife Proclamation									11:04 NCR 182
Wildlife Proclamation									11:23 NCR 1778
Wildlife Proclamation									11:26 NCR 1969
Wildlife Proclamation									11:28 NCR 2114

FINAL DECISION LETTERS

Voting Rights Act									11:01 NCR 1
Voting Rights Act									11:04 NCR 181
Voting Rights Act									11:06 NCR 315
Voting Rights Act									11:07 NCR 405
Voting Rights Act									11:13 NCR 1038
Voting Rights Act									11:16 NCR 1263
Voting Rights Act									11:18 NCR 1367
Voting Rights Act									11:20 NCR 1533
Voting Rights Act									11:24 NCR 1814
Voting Rights Act									11:27 NCR 2050

GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12.0202			11/24 NCR 1828						
21 NCAC 12.0204	10/22 NCR 2829		11/06 NCR 372	*	Approve	10/17/96			Codified
21 NCAC 12.0204	11/28 NCR 2117								
21 NCAC 12.0503	10/22 NCR 2829		11/06 NCR 372	*	Approve	10/17/96	*		Codified
21 NCAC 12.0503	11/28 NCR 2117								
21 NCAC 12.0901	11/28 NCR 2117								
21 NCAC 12.0902	11/28 NCR 2117								
21 NCAC 12.0903	11/28 NCR 2117								
21 NCAC 12.0904	11/28 NCR 2117								

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	RRC Status		Text differs from proposal	Approved Rule	Other
				Action	Date			

- 21 NCAC 12 .0905 11:28 NCR 2117
 21 NCAC 12 .0906 11:28 NCR 2117
 21 NCAC 12 .0907 11:28 NCR 2117
 21 NCAC 12 .0908 11:28 NCR 2117
 21 NCAC 12 .0909 11:28 NCR 2117
 21 NCAC 12 .0910 11:28 NCR 2117
 21 NCAC 12 .0911 11:28 NCR 2117
 21 NCAC 12 .0912 11:28 NCR 2117

GOVERNOR'S EXECUTIVE ORDERS

- Number 95 - Eff. 04/24/96
 Number 96 - Eff. 06/14/96
 Number 97 - Eff. 07/12/96
 Number 98 Eff. 08/09/96
 Number 99 - Eff. 09/05/96
 Number 100 - Eff. 09/12/96
 Number 101 - Eff. 09/12/96
 Number 102 - Eff. 10/02/96
 Number 103 - Eff. 10/10/96
 Number 104 - Eff. 10/10/96
 Number 105 - Eff. 12/02/96
 Number 106 - Eff. 12/11/96
 Number 107 - Eff. 02/20/97
 Number 108 - Eff. 02/24/97
 Number 109 - Eff. 03/25/97
 Number 110 - Eff. 03/27/97
 Number 111 - Eff. 04/14/97
- HOUSING FINANCE AGENCY**
- 24 NCAC 01 P .0101 11:14 NCR 1154 11:28 NCR 2132 S
 24 NCAC 01 P .0102 11:14 NCR 1154 11:28 NCR 2132 S

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Text differs from proposal	Effective by Governor	Approved Rule	Other
24 NCAC 01P .0103		11:14 NCR 1154	11:28 NCR 2132	S					
24 NCAC 01P .0201		11:14 NCR 1154	11:28 NCR 2132	S					
24 NCAC 01P .0202		11:14 NCR 1154	11:28 NCR 2132	S					
24 NCAC 01P .0203		11:14 NCR 1154	11:28 NCR 2132	S					
HUMAN RESOURCES									
10 NCAC 41P .0013	11:06 NCR 323	11:08 NCR 528	11:12 NCR 966	L	Approve	12/19/96	*		Codified
10 NCAC 01B	11:23 NCR 1779								
Aging									
10 NCAC 22		10:23 NCR 2956							
Child Day Care Commission									
10 NCAC 03U .0102		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*		Codified
10 NCAC 03U .0302		11:24 NCR 1817							
10 NCAC 03U .0506		11:24 NCR 1817							
10 NCAC 03U .0509		11:24 NCR 1817							
10 NCAC 03U .0601		11:24 NCR 1817							
10 NCAC 03U .0602		11:24 NCR 1817							
10 NCAC 03U .0604		11:03 NCR 109							
10 NCAC 03U .0604		11:24 NCR 1817							
10 NCAC 03U .0700		11:08 NCR 449							
10 NCAC 03U .0704		10:19 NCR 2506							
10 NCAC 03U .0705		11:14 NCR 1108							
10 NCAC 03U .0705		11:24 NCR 1817							
10 NCAC 03U .0707		11:08 NCR 449							
10 NCAC 03U .0710		10:22 NCR 2829							
10 NCAC 03U .0714		11:24 NCR 1817							
10 NCAC 03U .0802		11:24 NCR 1817							
10 NCAC 03U .0803		11:24 NCR 1817							

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03U .0901		11:08 NCR 449			11:17 NCR 1338	*				
10 NCAC 03U .1402		11:24 NCR 1817								
10 NCAC 03U .1403		11:24 NCR 1817								
10 NCAC 03U .1717		11:14 NCR 1108			11:27 NCR 2054	*				
10 NCAC 03U .1717		11:24 NCR 1817								
10 NCAC 03U .2510		11:08 NCR 449								
10 NCAC 03U .2603		11:24 NCR 1817								
10 NCAC 03U .2606		11:08 NCR 449								
10 NCAC 03U .2610		11:24 NCR 1817								
10 NCAC 03U .2611		11:24 NCR 1817								
10 NCAC 03U .2701		10:20 NCR 2593		\$	Object	10/17/96				
					Approve	11/21/96	*			
10 NCAC 03U .2702		10:20 NCR 2593		\$	Object	10/17/96				
					Approve	11/21/96	*			
10 NCAC 03U .2703		10:20 NCR 2593		\$	Object	10/17/96				
					Approve	11/21/96	*			
10 NCAC 03U .2704		10:20 NCR 2593		\$	Object	10/17/96				
					Approve	11/21/96	*			
Facility Services										
10 NCAC 03		10:18 NCR 2399								
10 NCAC 03R .3000		11:23 NCR 1780								
10 NCAC 03R .3001		10:21 NCR 2699		\$/L/SE	Approve	10/17/96	*			
10 NCAC 03R .3001		10:23 NCR 2956		\$/L/SE						
10 NCAC 03R .3002		11:21 NCR 1655								
10 NCAC 03R .3010		10:21 NCR 2699		\$/L/SE	Approve	10/17/96				
10 NCAC 03R .3020		10:21 NCR 2699		\$/L/SE	Approve	10/17/96	*			
10 NCAC 03R .3020		10:23 NCR 2956		\$/L/SE						
10 NCAC 03R .3030		10:21 NCR 2699		\$/L/SE	Object	10/17/96				
					Object	11/21/96	*			
10 NCAC 03R .3030		11:06 NCR 3228			Approve	03/20/97	*			
10 NCAC 03R .3032		10:21 NCR 2699		\$/L/SE	Approve	10/17/96	*			

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R .3032	10-23 NCR 2956				11:06 NCR 328	S/L/SE				
10 NCAC 03R .3033		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3034		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3035		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3036		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3037		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3038		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3040		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	10/17/96				
10 NCAC 03R .3050	10-23 NCR 2956		11:11 NCR 888	Approve	Approve	11/21/96	*			
10 NCAC 03R .3050										
10 NCAC 03R .3051		10:21 NCR 2699	11:06 NCR 328	S/L/SE						
10 NCAC 03R .3052										
10 NCAC 03R .3053										
10 NCAC 03R .3053										
10 NCAC 03R .3054										
10 NCAC 03R .3055										
10 NCAC 03R .3056										
10 NCAC 03R .3057										
10 NCAC 03R .3058										
10 NCAC 03R .3059										
10 NCAC 03R .3060										
10 NCAC 03R .3061										
10 NCAC 03R .3062										
10 NCAC 03R .3063										
10 NCAC 03R .3064										
10 NCAC 03R .3065										
10 NCAC 03R .3066										
10 NCAC 03R .3067										

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R .3068					11:21 NCR 1655					
10 NCAC 03R .3069					11:21 NCR 1655					
10 NCAC 03R .3070					11:21 NCR 1655					
10 NCAC 03R .3071					11:21 NCR 1655					
10 NCAC 03R .3072					11:21 NCR 1655					
10 NCAC 03R .3073					11:21 NCR 1655					
10 NCAC 03R .3074					11:21 NCR 1655					
10 NCAC 03R .3075					11:21 NCR 1655					
10 NCAC 03R .3076					11:21 NCR 1655					
10 NCAC 03R .3077					11:21 NCR 1655					
10 NCAC 03R .3078					11:21 NCR 1655					
10 NCAC 03R .3079					11:21 NCR 1655					
10 NCAC 03R .3080					11:21 NCR 1655					
10 NCAC 03R .3081					11:21 NCR 1655					
10 NCAC 03R .3082					11:21 NCR 1655					
10 NCAC 03R .3083					11:21 NCR 1655					
10 NCAC 03R .3084					11:21 NCR 1655					
10 NCAC 03R .3085					11:21 NCR 1655					
10 NCAC 03R .3086					11:21 NCR 1655					
10 NCAC 03R .3087					11:21 NCR 1655					
10 NCAC 03R .3088					11:21 NCR 1655					
10 NCAC 03R .6001					11:22 NCR 1704					
Medical Assistance										
Disproportionate Share List										
10 NCAC 26B .0105	10:18 NCR 2398				10:22 NCR 2831	*		Approve	04/18/96	*
10 NCAC 26B .0113	10:16 NCR 1721				11:28 NCR 2118	S/L				Codified
10 NCAC 26B .0123					11:19 NCR 1436		11:24 NCR 1824	*		
10 NCAC 26G .0707	11:08 NCR 450				11:15 NCR 1205		11:18 NCR 1371	*		
10 NCAC 26H .0101	11:14 NCR 1108							Approve	04/17/97	
10 NCAC 26H .0102	11:14 NCR 1108									

11:03 NCR 101

Disproportionate Share List
Medical Assistance

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		'Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

10 NCAC 26H .0104	11:16 NCR 1268				11:23 NCR 1781	S/L				
10 NCAC 26H .0212					11:15 NCR 1205					
10 NCAC 26H .0213					11:15 NCR 1205					
10 NCAC 26H .0213	11:18 NCR 1368									
10 NCAC 26H .0213					11:26 NCR 1997					
10 NCAC 26H .0506					11:02 NCR 77	Temp. Expired				
10 NCAC 26H .0506										
10 NCAC 26H .0506					11:19 NCR 1438					
10 NCAC 26H .0602	11:09 NCR 569				11:13 NCR 1062					
10 NCAC 50B .0202					11:10 NCR 841	11:28 NCR 2118	*			
10 NCAC 50B .0404					11:10 NCR 841	11:28 NCR 2118	L			
10 NCAC 50B .0409					11:10 NCR 841	11:28 NCR 2118	*			
10 NCAC 50D										
10 NCAC 50D .0101					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0102					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0103					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0201					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0301					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0302					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0401					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0402					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0501					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0502					10:24 NCR 3057	11:04 NCR 196				
10 NCAC 50D .0503					10:24 NCR 3057	11:04 NCR 196				
Medical Care Commission										
10 NCAC 03B					11:16 NCR 1268					
10 NCAC 03B .1001						11:20 NCR 1560				
10 NCAC 03B .1002						11:20 NCR 1560				
10 NCAC 03C .3707					11:20 NCR 1534					
10 NCAC 03C .6208										

Codified

Approve 12/19/96

Approve 04/18/96

CUMULATIVE INDEX
 (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03D .0800		11:23 NCR 1779								
10 NCAC 03D .0900		11:23 NCR 1779								
10 NCAC 03D .1000		11:23 NCR 1779								
10 NCAC 03D .1100		11:23 NCR 1779								
10 NCAC 03D .1200		11:23 NCR 1779								
10 NCAC 03D .1300		11:23 NCR 1779								
10 NCAC 03D .1400		11:23 NCR 1779								
10 NCAC 03D .1500		11:23 NCR 1779								
10 NCAC 03M		11:23 NCR 1779								
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14V .3402	11:08 NCR 449			*			Withdrawn	01/16/97		
10 NCAC 14V .3803	11:08 NCR 449			*			Withdrawn	01/16/97		
10 NCAC 14V .5602	11:08 NCR 449			*			Withdrawn	01/16/97		
10 NCAC 15A .0128	11:08 NCR 449			*			Withdrawn	01/16/97		
10 NCAC 15A .0129	11:08 NCR 449			*			Withdrawn	01/16/97		
10 NCAC 18W .0201	10:15 NCR 1478			*			Object	01/16/97		
10 NCAC 18W .0202	10:15 NCR 1478			S			Approve	02/20/97	*	
10 NCAC 18W .0203	10:15 NCR 1478			S			Approve	01/16/97	*	
10 NCAC 18W .0204	10:15 NCR 1478			S			Object	01/16/97	*	
10 NCAC 18W .0205	10:15 NCR 1478			S			Approve	02/20/97	*	
10 NCAC 18W .0206	10:15 NCR 1478			S			Object	01/16/97	*	
10 NCAC 18W .0207	10:15 NCR 1478			S			Approve	01/16/97	*	
10 NCAC 18W .0208	10:15 NCR 1478			S			Object	01/16/97	*	
10 NCAC 18W .0209	10:15 NCR 1478			S			Approve	01/16/97	*	
10 NCAC 18W .0210	10:15 NCR 1478			S			Approve	01/16/97	*	
10 NCAC 18W .0211	10:15 NCR 1478			S			Object	01/16/97	*	
10 NCAC 18W .0212	10:15 NCR 1478			S			Approve	02/20/97	*	

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 18W .0213	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0214	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0215	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0216	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0217	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0218	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0219	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 45H .0200	11:08 NCR 449				Approve	01/16/97	*			
Social Services Commission										
10 NCAC 35E .0101	11:16 NCR 1288									
10 NCAC 35E .0105	11:16 NCR 1288									
10 NCAC 35E .0106	11:16 NCR 1288									
10 NCAC 35E .0308	11:16 NCR 1288									
10 NCAC 41F	10:23 NCR 2956									
10 NCAC 41F .0705	10:23 NCR 2956		11:03 NCR 111	L	Approve	07/18/96	*			
10 NCAC 41F .0706			11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 41F .0707			10:21 NCR 2726	S	Object	07/18/96				
10 NCAC 41F .0812			10:21 NCR 2726	*	Approve	09/19/96	*			
10 NCAC 41F .0813			10:21 NCR 2726	S	Approve	07/18/96				
10 NCAC 41F .0814	10:23 NCR 2956		11:03 NCR 111	L	Object	07/18/96	*			
10 NCAC 41I .0100	10:17 NCR 2228				Approve	09/19/96				
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P .0102	11:06 NCR 323		11:08 NCR 528	11:12 NCR 960	Object	11/21/96	*			
10 NCAC 41P .0102					Approve	12/19/96	*			
10 NCAC 41P .0105	11:06 NCR 323		11:08 NCR 528	11:12 NCR 960	Object	11/21/96	*			
10 NCAC 41P .0105					Approve	12/19/96	*			
10 NCAC 41P .0106	11:06 NCR 323		11:08 NCR 528	11:12 NCR 960	Approve	12/19/96	*			

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Approved Rule	Other
					Action	Date			
10 NCAC 41P.0108	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		Codified
10 NCAC 41P.0109	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	10/17/96			Notice Not Required
10 NCAC 41P.0110	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		Codified
10 NCAC 41P.0111	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		Codified
10 NCAC 41P.0112	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		Codified
10 NCAC 42A.0701	10:21 NCR 2728	11:10 NCR 823	S/L/SE		Approve	11/21/96			Codified
10 NCAC 42A.0702	10:21 NCR 2728	11:10 NCR 823	*		Approve	11/21/96	*		Codified
10 NCAC 42A.0703	10:21 NCR 2728	11:10 NCR 823	*		Object	11/21/96			
10 NCAC 42B.1209	10:21 NCR 2729	11:12 NCR 967	*		Approve	12/19/96			Codified
10 NCAC 42B.1210	10:21 NCR 2729	11:12 NCR 967	S/L		Approve	11/21/96	*		Codified
10 NCAC 42B.1211	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96	*		Codified
10 NCAC 42B.2402	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42B.2403	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42B.2404	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42B.2405	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42C.2010	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42C.2011	10:21 NCR 2729	11:12 NCR 967	S/L		Object	11/21/96	*		Codified
10 NCAC 42C.2012	10:21 NCR 2729	11:12 NCR 967	*		Approve	12/19/96			Codified
10 NCAC 42C.3701	10:21 NCR 2729	11:12 NCR 967	*		Object	11/21/96			Codified
10 NCAC 42C.3702	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96	*		Codified
10 NCAC 42C.3703	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42C.3704	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42D.1409	10:21 NCR 2729	11:12 NCR 967	*		Approve	11/21/96			Codified
10 NCAC 42D.1410	10:21 NCR 2729	11:12 NCR 967	S/L		Object	11/21/96			Codified
10 NCAC 42D.1411	10:21 NCR 2729	11:12 NCR 967	*		Approve	12/19/96	*		Codified
10 NCAC 42D.1827	10:21 NCR 2729	11:12 NCR 967	*		Object	11/21/96			Codified
10 NCAC 42D.1828	10:21 NCR 2729	11:12 NCR 967	*		Approve	12/19/96	*		Codified

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 42D .1829		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				Codified
10 NCAC 42D .1830		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				Codified
10 NCAC 42J .0001		11:16 NCR 1288								
10 NCAC 42J .0004		11:16 NCR 1288								
10 NCAC 42J .0005		11:16 NCR 1288								
10 NCAC 42Y .0201		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*			Codified
10 NCAC 42Y .0802		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*			Codified
10 NCAC 42Y .0803		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*			Codified
10 NCAC 49A .0102		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				Codified
10 NCAC 49B .0202		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				Codified
10 NCAC 49B .0310		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				Codified
10 NCAC 49B .0502		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				Codified
10 NCAC 49C .0107		10:18 NCR 2402	Temp. Expired							
Vocational Rehabilitation Services										
10 NCAC 20B .0204		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96	*			Codified
10 NCAC 20B .0205		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96	*			Codified
10 NCAC 20B .0206		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0208		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0209		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0210		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0214		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0218		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0222		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0224		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0226		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20B .0227		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20C .0603		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
10 NCAC 20D .0204		11:08 NCR 450	11:13 NCR 1051	*	Approve	12/19/96				Codified
INSURANCE										
N.C. Home Inspector Licensure Board										

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Date	Text differs from proposal	Effective by Governor	Approved Rule	Other
11 NCAC 08.1001		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1002		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1003		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1004		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1005		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1006		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1007		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1008		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1009		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1010		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1011		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1101		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1102		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1103		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1104		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1105		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1106		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1107		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1108		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1109		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08.1110		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08.1111		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
11 NCAC 08 .1112		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1113		11:15 NCR 1212	11:25 NCR 1906	*	Agency Withdraw 03/97					
11 NCAC 08 .1114		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1115		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08 .1116		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1201		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08 .1202		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1203		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08 .1204		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1205		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1206		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08 .1207		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 08 .1208		11:15 NCR 1212	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 08 .1209		11:15 NCR 1212	11:19 NCR 1416	*	Temp Filed over obj					
11 NCAC 10 .0602		11:15 NCR 1223	11:25 NCR 1906	*	Temp Filed over obj					
11 NCAC 10 .0603		11:15 NCR 1223	11:19 NCR 1426	*	Temp Filed over obj					
11 NCAC 10 .0606		11:15 NCR 1223	11:19 NCR 1426	*	Temp Filed over obj					
11 NCAC 12 .0551	10:18 NCR 2399		10:22 NCR 2831	*	Temp Filed over obj					
11 NCAC 12 .1702	N/A		N/A		Temp Filed over obj					
11 NCAC 16 .0703	10:18 NCR 2399		10:22 NCR 2832	*	Temp Filed over obj					
JUSTICE										
Attorney General/Company Police										
12 NCAC 021 .0101										
12 NCAC 021 .0206										
12 NCAC 021 .0210										
Approve 04/18/96										
Approve 04/18/96										
Approve 04/18/96										

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
Alarm Systems Licensing Board										
12 NCAC 11.0202	10:24 NCR 3057				11:14 NCR 1136	*				
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A.0103	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09B.0102	11:14 NCR 1109				11:20 NCR 1539	*	Object	04/17/97		
12 NCAC 09B.0111	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09B.0206	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09B.0224	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09B.0225	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09B.0409	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0304	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0307	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97	*	
12 NCAC 09C.0309	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0601	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0602	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0603	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0604	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0605	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0606	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0607	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
12 NCAC 09C.0608	11:14 NCR 1109				11:20 NCR 1539	*	Approve	04/17/97		
Private Protective Services Board										
12 NCAC 07D					11:10 NCR 818					
					11:16 NCR 1268					
12 NCAC 07D .0100					11:16 NCR 1268					
12 NCAC 07D .0104					11:16 NCR 1268					
12 NCAC 07D .0201					11:10 NCR 818					
12 NCAC 07D .0204					11:14 NCR 1108					
12 NCAC 07D .0504					11:10 NCR 818					
12 NCAC 07D .0701					11:10 NCR 818					

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
State Bureau of Investigation/Division of Criminal Information										
12 NCAC 07D .0801		11:10 NCR 818					*			
12 NCAC 07D .0902		11:10 NCR 818					*			
12 NCAC 07D .1106		11:14 NCR 1108					*			
LABOR										
Permanent Variance Filing										
13 NCAC 13 .0213							11:25 NCR 1918			
Boiler & Pressure Vessel										
Occupational Safety and Health										
*Verbatim Adoption Federal Standards										
*13 NCAC 07A .0301								11:25 NCR 1903		
*13 NCAC 07F .0101								11:24 NCR 1813		
*13 NCAC 07F .0101								11:25 NCR 1903		
*13 NCAC 07F .0101								11:25 NCR 1903		
*13 NCAC 07F .0201								11:25 NCR 1903		
*13 NCAC 07F .0501								11:25 NCR 1903		
13 NCAC 07A .0302		11:26 NCR 1984								
13 NCAC 07A .0900		11:11 NCR 881								
13 NCAC 07F		11:03 NCR 106								
13 NCAC 07F .0101							11:03 NCR 119	Temp. Expired		
13 NCAC 07F .0101		11:24 NCR 1817								
13 NCAC 07F .0201		11:03 NCR 106								
13 NCAC 07F .0201		11:09 NCR 568								
13 NCAC 07F .0201		11:24 NCR 1817								
13 NCAC 07F .0301		11:03 NCR 106								

CUMULATIVE INDEX
 (April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		'Text differs from proposal'	Effective by Governor	Approved Rule	Other
					Action	Date				
13 NCAC 16 0102			11:26 NCR 1984							
13 NCAC 16 0201			11:26 NCR 1984							
13 NCAC 16 0202			11:26 NCR 1984							
13 NCAC 16 0203			11:26 NCR 1984							
13 NCAC 16 0204			11:26 NCR 1984							
13 NCAC 16 0205			11:26 NCR 1984							
13 NCAC 16 0206			11:26 NCR 1984							
13 NCAC 16 0207			11:26 NCR 1984							
13 NCAC 16 0208			11:26 NCR 1984							
13 NCAC 16 0301			11:26 NCR 1984							
13 NCAC 16 0302			11:26 NCR 1984							
13 NCAC 16 0303			11:26 NCR 1984							
MEDICAL BOARD										
21 NCAC 32B			11:18 NCR 1369							
21 NCAC 32F .0003			11:18 NCR 1386							
21 NCAC 32H			10:18 NCR 2400							
21 NCAC 32I			11:26 NCR 1986							
21 NCAC 32I .0101			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0102			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0201			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0203			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0301			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0302			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0303			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0401			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0402			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0403			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0404			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0406			10:18 NCR 2400		*	Approve	04/18/96	*		Codified
21 NCAC 32I .0407			10:18 NCR 2400		*	Approve	04/18/96			Codified

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status	Approved Rule	Other
				Action	Date		
21 NCAC 32H .0408	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0409	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0501	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0502	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0504	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0505	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0506	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0507	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0601	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0602	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0701	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0702	10:18 NCR 2400		10:22 NCR 2835	*	Object	04/18/96	Returned to Agency 6/20/96
21 NCAC 32H .0801	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0901	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32H .0902	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	Codified
21 NCAC 32O	11:18 NCR 1369						
NURSING, BOARD OF							
21 NCAC 36 .0109	11:24 NCR 1821		11:28 NCR 2130	*			
21 NCAC 36 .0320	11:14 NCR 1109		11:19 NCR 1428	*	Object Approve	03/20/97 04/17/97	*
NURSING HOME ADMINISTRATORS							
21 NCAC 37D .0202		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97	
21 NCAC 37G .0102		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97	
OPTOMETRY, BOARD OF							
21 NCAC 42B .0107	11:18 NCR 1369		11:25 NCR 1917	*			
PSYCHOLOGY BOARD							
21 NCAC 54 .1802							
21 NCAC 54 .1803							
21 NCAC 54 .2001							
21 NCAC 54 .2002							

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 54 .2003					11:18 NCR 1373	*				
21 NCAC 54 .2004					11:18 NCR 1373	*				
21 NCAC 54 .2005					11:18 NCR 1373	*				
21 NCAC 54 .2007					11:18 NCR 1373	*				
21 NCAC 54 .2008					11:18 NCR 1373	*				
21 NCAC 54 .2009					11:18 NCR 1373	*				
21 NCAC 54 .2704										
21 NCAC 54 .2706										
PUBLIC EDUCATION										
16 NCAC 01A .0001										
16 NCAC 01A .0003										
Standards Board for Public School Administration										
16 NCAC 07 .0101	10:23 NCR 2957			11:09 NCR 576	*		Object	11/21/96		
16 NCAC 07 .0102	10:23 NCR 2957			11:09 NCR 576	*		Approve Object	12/19/96	*	
16 NCAC 07 .0103	10:23 NCR 2957			11:09 NCR 576	*		Approve Object	12/19/96	*	
16 NCAC 07 .0104	10:23 NCR 2957			11:09 NCR 576	*		Approve Object	12/19/96	*	
16 NCAC 07 .0105	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96	*	
16 NCAC 07 .0106	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
16 NCAC 07 .0107	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
16 NCAC 07 .0108	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
16 NCAC 07 .0109	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
16 NCAC 07 .0110	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
16 NCAC 07 .0111	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
16 NCAC 07 .0112	10:23 NCR 2957			11:09 NCR 576	*		Withdrawn	11/21/96		
REAL ESTATE COMMISSION										
21 NCAC 58A .0101	10:22 NCR 2829				11:03 NCR 114	*		Approve	12/19/96	
21 NCAC 58A .0104	11:07 NCR 408				11:11 NCR 935	*		Approve	12/19/96	*
21 NCAC 58A .0105	10:22 NCR 2829				11:03 NCR 114	*		Approve	12/19/96	

CUMULATIVE INDEX
(April 1996 - June 1997)

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
17 NCAC 07B .1114					*	Approve	04/18/96			Codified
17 NCAC 07B .1123		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .1602		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .1602		11:12 NCR 998		*	Approve	11/21/96	*			Codified
17 NCAC 07B .1701		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .1702		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .1702		11:12 NCR 998		*	Approve	11/21/96	*			Codified
17 NCAC 07B .1802		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .1802		11:12 NCR 998		*	Approve	11/21/96	*			Codified
17 NCAC 07B .2401		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .2601		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .3103		11:12 NCR 998		*	Approve	11/21/96	*			Codified
17 NCAC 07B .3106		11:12 NCR 998		*	Approve	11/21/96	*			Codified
17 NCAC 07B .4002		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .4004		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .4008		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .4202		11:12 NCR 998		*	Approve	11/21/96				Codified
17 NCAC 07B .4301		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .4408		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
17 NCAC 07B .4501		11:12 NCR 998		*	Approve	11/21/96				Codified
17 NCAC 07B .4902		10:21 NCR 2688		*	Approve	04/18/96	*			Codified
Tax Review Board										11:02 NCR 72
Tax Review Board										11:06 NCR 318
Tax Review Board										11:14 NCR 1104
Tax Review Board										11:16 NCR 1266
Tax Review Board										11:17 NCR 1332
Tax Review Board										11:21 NCR 1632
Tax Review Board										11:26 NCR 1970
Tax Review Board										11:27 NCR 2052

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
SOIL SCIENTISTS, BOARD FOR LICENSING										
21 NCAC 63 .0306		10:21 NCR 2739	11:03 NCR 118	*	Approve	11/21/96	*			Codified
21 NCAC 69 .0101	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve Object	09/19/96 09/19/96				Codified
21 NCAC 69 .0102	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	10/17/96	*			Codified
21 NCAC 69 .0103	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96				Codified
21 NCAC 69 .0104	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96				Codified
21 NCAC 69 .0201	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96				Codified
21 NCAC 69 .0202	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve	09/19/96	*			Codified
21 NCAC 69 .0301	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96				Codified
21 NCAC 69 .0302	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve Object	09/19/96 10/17/96	*			Codified
21 NCAC 69 .0303	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve Object	09/19/96				Codified
21 NCAC 69 .0304	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve Object	09/19/96 10/17/96	*			Codified
21 NCAC 69 .0305	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve Object	09/19/96				Codified
21 NCAC 69 .0306	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve Object	10/17/96	*			Codified
21 NCAC 69 .0307	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve Object	09/19/96	*			Codified
21 NCAC 69 .0308	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve Object	10/17/96	*			Codified
21 NCAC 69 .0401	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve Object	09/19/96				Codified
21 NCAC 69 .0402	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200	*	Approve Object	10/17/96	*			Codified
21 NCAC 69 .0501	10:19 NCR 2507	11:04 NCR 200	11:08 NCR 523	*	Approve	09/19/96	*			Codified
STATE PERSONNEL COMMISSION										
25 NCAC 01D .2501			11:13 NCR 1062	11:19 NCR 1429	*					
25 NCAC 01D .2503			11:13 NCR 1062	11:19 NCR 1429	*					
SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS										
21 NCAC 64 .0303	11:23 NCR 1780									

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
25 NCAC 01D .2504			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2505			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2507			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2508			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2509			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2511			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2513			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2514			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01D .2516			11:13 NCR 1062		11:19 NCR 1429	*				
25 NCAC 01E .0705		11:14 NCR 1110			11:19 NCR 1434	*				
25 NCAC 01E .0707		11:14 NCR 1110			11:19 NCR 1434	*				
25 NCAC 01E .0709		11:14 NCR 1110			11:19 NCR 1434	*				
25 NCAC 01I .0613			10:23 NCR 2960	Temp. Expired						
25 NCAC 01J .0613							Approve	03/21/96		Codified
SUBSTANCE ABUSE PROFESSIONALS CERTIFICATION BOARD										
21 NCAC 68		10:18 NCR 2401								
21 NCAC 68 .0101		10: 8 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	
21 NCAC 68 .0102		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96		Codified
21 NCAC 68 .0201		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96		Codified
21 NCAC 68 .0202		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0203		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0204		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0205		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0206		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0207		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96		Codified
21 NCAC 68 .0208		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0209		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0210		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0211		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified
21 NCAC 68 .0212		10:18 NCR 2401			10:22 NCR 2850	*	Approve	04/18/96	*	Codified

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 68 .0213	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0401	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0402	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0403	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0404	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0405	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0406	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0407	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0701	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0702	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0703	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0704	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0705	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0706	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0707	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0708	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
21 NCAC 68 .0709	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*			Codified
TRANSPORTATION										
19A NCAC 06B .0401	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0402	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0403	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0404	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0405	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0406	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0407	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0408	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0409	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0410	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0411	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B .0412	10:23 NCR 2957		11:05 NCR 279	S	Object	08/15/96				Codified

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 06B.0413	10:23 NCR 2957		11:05 NCR 279	S	Approve	09/19/96	*			Codified
19A NCAC 06B.0414	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B.0415	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B.0416	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
19A NCAC 06B.0417	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				Codified
Highways, Division of										
19A NCAC 02B.0164	11:20 NCR 1537		11:26 NCR 1991	*						
19A NCAC 02B.0242	11:26 NCR 1986									
19A NCAC 02B.0303	11:26 NCR 1986		11:26 NCR 2004	*						
19A NCAC 02D.0415	11:20 NCR 1537									
19A NCAC 02D.0425			11:05 NCR 274	*	Approve	08/15/96				Codified
19A NCAC 02D.1101	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				Codified
19A NCAC 02D.1102	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96				
19A NCAC 02D.1103	10:23 NCR 2957		11:05 NCR 274	*	Approve	09/19/96	*			Codified
19A NCAC 02D.1104	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*			Codified
19A NCAC 02D.1105	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*			Codified
19A NCAC 02D.1106	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*			Codified
19A NCAC 02D.1107	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				Codified
19A NCAC 02D.1108	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96				
19A NCAC 02D.1109	10:23 NCR 2957		11:05 NCR 274	*	Approve	09/19/96	*			Codified
19A NCAC 02D.1110	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*			Codified
19A NCAC 02D.1111	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96	*			Codified
19A NCAC 02D.1112	10:23 NCR 2957		11:05 NCR 274	*	Approve	09/19/96	*			Codified
19A NCAC 02E.0210	N/A		N/A		Approve	04/17/97				Notices Not Required
Motor Vehicles, Division of										
19A NCAC 03E.0403					Object	12/19/96				
					Approve	01/16/97				
										Notice Not Required
										11:22 NCR 1717
										Notice Not Required

CUMULATIVE INDEX
(April 1996 - June 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 03E .0501	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0502	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0510	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0511	11:01 NCR 13			11:07 NCR 416	*	Approve	10/17/96	*		Codified
19A NCAC 03E .0512	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0513	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0514	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0515	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0518	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 03E .0519	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96			Codified
19A NCAC 03E .0522	11:01 NCR 13			11:07 NCR 416	*	Approve	09/19/96	*		Codified
19A NCAC 031 .0100	11:19 NCR 1413									
19A NCAC 031 .0200	11:19 NCR 1413									
19A NCAC 031 .0300	11:19 NCR 1413									
19A NCAC 031 .0400	11:19 NCR 1413									
19A NCAC 031 .0500	11:19 NCR 1413									
19A NCAC 031 .0600	11:19 NCR 1413									
19A NCAC 031 .0700	11:19 NCR 1413									
19A NCAC 031 .0800	11:19 NCR 1413									
19A NCAC 03J .0102	11:11 NCR 882			11:17 NCR 1340	*	Approve	02/20/97	*		
19A NCAC 03J .0306	11:11 NCR 882			11:17 NCR 1340	*	Object	02/20/97			
19A NCAC 03J .0306						Approve	03/20/97	*		
19A NCAC 03J .0307	11:11 NCR 882			11:17 NCR 1340	*	Approve	03/20/97			
19A NCAC 03J .0307						Object	02/20/97			
19A NCAC 03J .0308						Approve	03/20/97			
19A NCAC 03J .0308	11:11 NCR 882			11:17 NCR 1340	*	Object	02/20/97			
19A NCAC 03J .0601	11:11 NCR 882			11:17 NCR 1340	*	Approve	03/20/97	*		
						Approve	02/20/97			



DESCRIPTION	CODE	ANNUAL SUBSCRIPTION PRICE
Title 1 - Dept. of Administration - Complete Title	201 00 001	\$90.00
Division of Purchase & Contract	201 10 051	\$30.00
Federal Block Grant Funds	201 10 331	\$25.00
Title 2 - Dept. of Agriculture - Complete Title	202 00 001	\$140.00
Food & Drug Protection Division	202 15 091	\$35.00
Structural Pest Control Committee	202 15 341	\$30.00
Agricultural Markets	202 15 431	\$30.00
Plant Industry	202 15 481	\$30.00
Animal Industry	202 15 521	\$30.00
Title 3 - Dept. of State Auditor - Complete Title	203 00 001	\$25.00
Title 4 - Dept. of Commerce - Complete Title	204 00 001	\$125.00
Alcoholic Beverage Control Commission	204 15 021	\$45.00
Banking Commission	204 15 031	\$45.00
Credit Union Division	204 15 061	\$25.00
Savings & Loan Division	204 15 091	\$25.00
Industrial Commission/Workers Compensation	204 15 101	\$30.00
Savings Institutions Division	204 15 161	\$35.00
Title 5 - Dept. of Corrections - Complete Title	205 00 001	\$70.00
Division of Prisons	205 15 021	\$35.00
Title 6 - Council of State - Complete Title	206 00 001	\$30.00
Title 7 - Dept. of Cultural Resources - Complete Title	207 00 001	\$60.00
Title 8 - State Board of Elections - Complete Title	208 00 001	\$30.00
Title 9 - Offices of the Governor & Lt. Governor - Complete Title	209 00 001	\$45.00
Title 10 - Dept. of Human Resources - Complete Title	210 00 001	\$470.00
Licensing of Health Facilities	210 20 101	\$95.00
Detention Facilities	210 20 201	\$40.00
Mental Health & Rehabilitation Services	210 20 301	\$110.00
Social Services	210 20 401	\$185.00
Children Services/Day Care	210 20 411	\$55.00
Services for the Aging	210 20 421	\$45.00
Services for the Blind	210 20 431	\$40.00
Services for the Deaf & Hard of Hearing	210 20 441	\$25.00
Employment Opportunities	210 20 451	\$45.00
Title 11 - Dept. of Insurance - Complete Title	211 00 001	\$90.00
Insurance	211 10 011	\$80.00
Consumer Services	211 10 041	\$30.00
Fire & Rescue Services	211 10 051	\$25.00
Agent Services	211 10 061	\$35.00
Engineering & Building Codes	211 10 081	\$30.00
Title 12 - Dept. of Justice - Complete Title	212 00 001	\$90.00
Private Protective Services	212 10 071	\$30.00
Police & Sheriff's Education & Training Standards	212 10 091	\$40.00
NC Alarm Systems Licensing Board	212 10 111	\$30.00
Title 13 - Dept. of Labor - Complete Title	213 00 001	\$110.00
Mine & Quarry Safety	213 15 061	\$25.00
General Safety/OSHA	213 20 001	\$70.00
Wage & Hour Rules	213 15 121	\$25.00
Boiler & Pressure Vessel Safety	213 15 131	\$25.00
Apprenticeship & Training	213 15 141	\$25.00
Elevator & Amusement Device Safety	213 15 151	\$25.00
Title 14A - Dept. of Crime Control & Public Safety - Complete Title	214 00 001	\$45.00
Alcohol Law Enforcement	214 00 081	\$25.00
Victims Compensation Fund	214 00 111	\$25.00
Title 15A - Dept. of Environ., Health, & Nat. Resources - Complete Title	215 00 001	\$395.00
Environmental Management	215 15 001	\$165.00
Air Quality	215 15 101	\$90.00
Water Quality	215 15 201	\$85.00
Land & Waste Management	215 15 301	\$85.00
Solid Waste Management	215 15 311	\$50.00

DESCRIPTION	CODE	ANNUAL SUBSCRIPTION PRICE
Underground Storage Tanks	215 15 321	\$30.00
Coastal Management, Fishing & Boating	215 15 401	\$53.00
Environmental Health	215 25 001	\$150.00
Radiation/Nuclear Waste	215 25 101	\$65.00
Sanitation	215 25 201	\$60.00
Public Health	215 25 301	\$85.00
Intoxilizer & Breathalyzer	215 25 311	\$25.00
Title 16 - Dept. of Public Instruction - Complete Title	216 00 001	\$60.00
Elementary & Secondary Education	216 10 061	\$30.00
Title 17 - Department of Revenue - Complete Title	217 00 001	\$130.00
Taxes on Individuals	217 15 101	\$40.00
Taxes on Business	217 15 201	\$70.00
Sales & Use Tax Division	217 15 271	\$45.00
Motor Fuels Tax Division	217 15 291	\$30.00
Title 18 - Secretary of State - Complete Title	218 00 001	\$60.00
Securities Division	218 10 060	\$35.00
Title 19A - Dept. of Transportation - Complete Title	219 00 001	\$90.00
Division of Highways	219 10 021	\$45.00
Division of Motor Vehicles	219 10 031	\$45.00
Title 20 - Dept. of the State Treasurer - Complete Title	220 00 001	\$45.00
Title 21 - Occupational Licensing Boards - Complete Title	221 00 001	\$230.00
Title 22 - Administrative Procedures - Repealed	n/a	
Title 23 - Community Colleges - Complete Title	223 00 001	\$45.00
Title 24 - Independent Agencies - Complete Title	224 00 001	\$40.00
Title 25 - Office of State Personnel - Complete Title	225 00 001	\$80.00
Title 26 - Office of Administrative Hearings - Complete Title	226 00 001	\$35.00
Title 27 - North Carolina State Bar - Complete Title	227 00 001	\$60.00
North Carolina Administrative Code - Complete Code (Add \$85.00 Shipping and Handling)	299 99 981	\$850.00
CD-ROM North Carolina Administrative Code (updated quarterly)	266 00 001	\$750.00
CD-ROM North Carolina Administrative Code (When purchased with the Full Code in Print)	266 50 001	\$250.00
Master Index	288 50 001	\$475.00
Master Table of Contents	288 80 001	\$75.00
Binder(s) Titled "Official North Carolina Administrative Code"	299 90 000	\$16.00/each

METHOD OF PAYMENT: Check Enclosed

VISA MasterCard American Express

CARD NUMBER EXP DATE

NAME (As it appears on card)

SIGNATURE

CUSTOMER INFORMATION

FIRM OR COMPANY NAME

CONTACT NAME

TELEPHONE NUMBER

STREET ADDRESS (Required for all shipments)

DEPT. OR MAIL STOP

P O BOX (IF ANY)

CITY/STATE/ZIP

SUBSCRIBER ACCOUNT NUMBER

CODE NUMBER	PRICE	QUANTITY	TOTAL
Binder(s) 299 90 000			
Subtotal			
North Carolina State Sales Tax (6%)			
Shipping and Handling (\$4.50/copy)			
GRAND TOTAL			

Mail with payment to:

Bordlays Low Publishers P O Box 95767 Chicago, IL 60694-5767

For faster service call **(800) 888-3600**

Office of Administrative Hearings
P.O. Drawer 27447
Raleigh, North Carolina 27611-7447

CITY _____
STATE _____
ZIP _____

NAME _____
ADDRESS _____
PLACE _____
STAMP _____
HERE _____

FOLD HERE

NORTH CAROLINA REGISTER ORDER FORM

- Please enter my subscription for the *North Carolina Register* to start with the _____ issue.
(\$195.00/year subscription. N.C. subscribers please add sales tax.)
- Renew *North Carolina Register*
- Check Enclosed Please bill me

Please make checks payable to Office of Administrative Hearings

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

(Return to Office of Administrative Hearings - fold at line, staple at bottom and affix postage.)

CHANGE OF ADDRESS

1. Present Address

NAME

ADDRESS

CITY

STATE

ZIP

2. New Address

NAME

ADDRESS

CITY

STATE

ZIP

Office of Administrative Hearings
P.O. Drawer 27447
Raleigh, North Carolina 27611-7447

FIRST CLASS MAIL

REC'D
STATE OF NORTH CAROLINA
LIBRARY CEP 3365
ANNECY-BECKETT-CH 164-H
MAY 12 1988

100-1238